

FEDERAL BUREAU OF INVESTIGATION
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Total Deleted Page(s) = 6

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (62-7795)

DATE: 3/17/77

FROM : SA [REDACTED]

SUBJECT: [REDACTED] ET AL
VERSUS UNITED STATES, CONGRESSIONAL
REFERENCE NUMBER 4-76, CIVIL SUIT -
WOUNDED KNEE RELATED

b6
b7C

By airtel, dated 3/4/77, FBI Headquarters advised that numerous claims have been filed against the United States Government alleging liability for damage caused to personal property as a direct result of the inability of the United States Government to control the insurrection which occurred between 2/27/73 through 5/8/73 at Wounded Knee, South Dakota, on the Pine Ridge Indian Reservation.

The Department of Justice has instructed that no files, notes, records, photographs, film, etc., which may deal with the above-mentioned insurrection, be destroyed pending the settlement or outcome of the above-mentioned claims.

CONSEQUENTLY, NO BULKY EXHIBITS, 1-A EXHIBITS, OR SERIALS SHOULD BE DESTROYED FROM ANY FILE WHICH CONTAINS THIS COMMUNICATION AS A FLOATING SERIAL WITHOUT PRIOR CONSULTATION WITH EITHER SA [REDACTED] AND [REDACTED] OF THE LEGAL UNIT.

KEEP AS FLOATING SERIAL. DO NOT SERIALIZE.

- ① - 70-7253
- 1 - 70-9298
- 1 - 70-8071
- 1 - 70-8211
- 1 - 70-7424
- 1 - 157-8510
- 1 - 157-8654
- 1 - 157-8732
- 1 - 157-8868
- 1 - 157-8987
- 1 - 157-9705
- 1 - 157-8224 (Concerned with Serials 112, 524, 982)
- 1 - 100-85463 (Concerned with Serial 73)

isg
(13) TN

- 1* -

Bu: U.S. Savings Bonds Regularly on the Payroll Savings Plan

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NR062 WA CODE

8:38 PM URGENT MARCH 13, 1974 DCW

TO ALL CONTINENTAL OFFICES
FROM DIRECTOR 2P

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR- BURGLARY, ET AL.

WOUNDED KNEE LEADERSHIP TRIAL, ST. PAUL, MINNESOTA.

TODAY DEFENSE ATTORNEYS INFORMED UNITED STATES DISTRICT JUDGE FRED J. NICHOL IN HIS CHAMBERS THEY WERE PREPARING A MOTION FOR THE DISMISSAL OF CAPTIONED CASE ON THE GROUNDS OF ILLEGAL WIRETAP. DEFENSE ATTORNEYS ALLEGE THAT UNITED STATES MARSHAL TOMMY HUDSON, WHILE ASSIGNED TO WOUNDED KNEE CASE AT PINE RIDGE, SOUTH DAKOTA, CONTACTED [REDACTED] (PH), BISON STATE TELEPHONE, PINE RIDGE, SOUTH DAKOTA, AND TOLD [REDACTED] THAT HE WANTED A TELEPHONE EXTENSION, REFERRED TO BY DEFENSE ATTORNEYS AS "BUG" PLACED ON TELEPHONE LINE LEADING OUT OF WOUNDED KNEE FOR TELEPHONE IN WOUNDED KNEE TRADING POST. THIS WAS THE ONLY TELEPHONE LINE OPERATIVE OUT OF WOUNDED KNEE DURING THE OCCUPATION. DEFENSE ALLEGES THAT THIS EXTENSION TELEPHONE WAS MONITORED BY FBI AGENTS DURING ENTIRE OCCUPATION WHICH WOULD BE A WIRETAP VIOLATION. JUDGE NICHOL STATED HE WANTS THIS MATTER EXPLORED IN DETAIL AND THAT APPROPRIATE GOVERNMENT OFFICIALS BE CONTACTED. IT SHOULD BE

END PAGE ONE

b6
b7c

copy to D. Harbey
T- 4/13
OO: WAP
H

72-7253-276

SEARCHED	INDEXED
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FBI - LOS ANGELES	

D. Harbey

PAGE TWO

MP 70-6882

NOTED THAT FOLLOWING SACS WERE AT PINE RIDGE, SOUTH DAKOTA,
DURING THE PERIOD OF TIME IN QUESTION:

SAC HERBERT HOXIE, MILWAUKEE DIVISION; SAC ROBERT EVANS,
BUTTE DIVISION; SAC ROY K. MOORE, JACKSONVILLE DIVISION; SAC
RICHARD G. HELD, CHICAGO DIVISION; SAC WILBUR DE BRULER,
OKLAHOMA CITY DIV.; [REDACTED] LAS VEGAS DIV. IN
ADDITION, ALL SPECIAL AGENTS WHO WERE ASSIGNED TO WOUNDED KNEE

SPECIAL AT PINE RIDGE, SOUTH DAKOTA, SHOULD BE POLLED AND ASKED:

(1) IF THEY SERVED ON ROADBLOCK ONE ; (2) IF THEY DID SERVE ON
ROADBLOCK ONE THEY SHOULD BE ASKED IF THEY WERE AWARE OF PARTY
LINE TELEPHONE AT THE ROADBLOCK; (3) AND IF THEY EVER UTILIZED
THIS TELEPHONE AND IF SO FOR WHAT PURPOSE; (4) IF THEY EVER HEARD
OR INTERCEPTED CONVERSATION ON THIS TELEPHONE. IF SO, FURNISH
COMPLETE DETAILS. SHOULD BE NOTED BY SAS THAT INTERCEPT COULD BE
GROUNDS FOR MOTION OF DISMISSAL.

ALL OFFICES REQUESTED TO SUTEL RESULTS TO MINNEAPOLIS
DIVISION WITHIN 24 HOURS.

SACS, MILWAUKEE, BUTTE, LAS VEGAS, OKLAHOMA CITY, JACKSONVILLE
AND CHICAGO REQUESTED TO ADVISE OF POSITIVE RECOLLECTION
CONCERNING THIS TELEPHONE.

WASHINGTON FIELD IMMEDIATELY INTERVIEW U.S. MARSHAL TOM
HUDSON AND DIRECTOR USM SERVICE WAYNE COLBURN.

END

HOLD FOR ONE

JJS FBI LOS ANGELES

b6
b7c

ORIGINAL

FBI

Date: MARCH 13, 1974

Transmit the following in _____

(Type in plaintext or code)

Via TELETYPE

IMMEDIATE
(Priority)

021

TO: SAC, MINNEAPOLIS (70-6864) *90K DCW*

FROM: SAC, WFO (157-6209) (P) (4P)

DENNIS JAMES BANKS; RUSSELL CHARLES MEANS, CIR - BURGLARY
(OO:MINNEAPOLIS).

REFERENCE MINNEAPOLIS TELETYPE AND TELCAL DATED MARCH
13, 1974.

TOMMY J. HUDSON, CHIEF ADMINISTRATIVE SERVICES DIVISION,
UNITED STATES MARSHAL SERVICE (USMS), WASHINGTON, D. C. (WDC),
INTERVIEWED INSTANT DATE AND ADVISED THAT DURING EARLY MARCH,
1973, HE WAS INSTRUCTED TO COORDINATE THE INSTALLATION OF A
TELEPHONE LINE FROM THE U.S. GOVERNMENT COMMAND POST AT
PIKE RIDGE, SOUTH DAKOTA, TO THE VILLAGE OF WOUNDED KNEE,
SOUTH DAKOTA, FOR USE BY GOVERNMENT OFFICIALS AND LEADERS
OF THE INSURGENTS IN COMMUNICATING.

THIS LINE WAS TO BE INSTALLED AS A RESULT OF AN AGREEMENT
AMONG GOVERNMENT OFFICIALS AND AIM REPRESENTATIVES IN ORDER TO
FACILITATE BETTER COMMUNICATIONS BETWEEN THEM AND PERMIT
END PAGE ONE

b6
b7C

1-Tickler

FACSIMILE

RSH:bas
(2)

REC. *SMA*
INT.

DATE

TIME

2-cc Bureau (76-2404)

40-2253-277

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FBI - LOS ANGELES	

Approved: *[Signature]*
Special Agent in Charge

Sent

DATE
TIME

U.S. Government Printing Office: 1972 - 435-574

FBI

Date:

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Via _____

(Priority)

PAGE TWO

NEGOTIATIONS RATHER THAN FIGHTING. HUDSON WAS INSTRUCTED AND AUTHORIZED ORALLY BY RALPH ERICKSON, THE SENIOR DEPARTMENT OF JUSTICE NEGOTIATOR ON THE SCENE AT WOUNDED KNEE AT THAT TIME, AND WAYNE S. COLBURN, DIRECTOR, USMS, TO ESTABLISH THIS MEANS OF COMMUNICATION.

HUDSON ADVISED THIS TELEPHONE LINE WAS INSTALLED BY HIM AND ONE [REDACTED] (PH), A REPRESENTATIVE OF THE HISON STATE TELEPHONE COMPANY (HSTC) DURING APPROXIMATELY THE SECOND WEEK OF MARCH, 1973. THE LINE CONSISTED OF ONE TELEPHONE AT A POSITION INSIDE WOUNDED KNEE; ONE TELEPHONE AT THE COMMAND POST; AND ONE TELEPHONE AT HB #1. ALL THREE TELEPHONES WERE CAPABLE OF RECEIVING AND TRANSMITTING AND ALL WERE IN DIRECT CONTACT WITH EACH OTHER. IN ADDITION, EACH PHONE UNIT COULD BE USED TO CALL OUTSIDE THE WOUNDED KNEE AREA TO ANY WORKING TELEPHONE EXTENSION.

THIS TELEPHONE SYSTEM WAS LEASED FROM HSTC BY THE U.S. GOVERNMENT.

THIS TELEPHONE LINE REMAINED IN OPERATION FOR ONLY A FEW DAYS UNTIL IT WAS RENDERED UNOPERABLE AS A RESULT OF GUNFIRE,
END PAGE TWO

Approved: _____

Special Agent in Charge

Sent _____

M Per _____

U.S. Government Printing Office: 1973 • 500-374

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Date:

Transmit the following in _____
(Type in plaintext or code)

Via _____
(Priority)

PAGE THREE

REPORTEDLY FROM SUPPORTERS OF OGLALA SIOUX PRESIDENT
RICHARD WILSON.

HUDSON STATED THIS COMMUNICATION LINE REMAINED DOWN
UNTIL APPROXIMATELY THE FIRST WEEK OF APRIL, 1973, WHEN IT
WAS RE-ESTABLISHED. THIS LINE WAS PUT INTO USE THE SECOND
TIME TO PERMIT AIM LEADER RUSSELL MEANS A WAY OF COMMUNICATING
WITH AIM LEADERS REMAINING IN WOUNDED KNEE, WHILE MEANS WAS
TO BE NEGOTIATING WITH GOVERNMENT OFFICIALS IN WDC, HOWEVER,
THIS LINE WAS DISCONNECTED AFTER MEANS BALKED AT NEGOTIATIONS.

HUDSON STATED, TO HIS KNOWLEDGE, THIS TELEPHONE SYSTEM
WAS NOT REESTABLISHED THEREAFTER.

HUDSON STATED THAT BILLING RECEIVED FROM BSTC FOR THIS
SERVICE INDICATES AIM GREATLY ABUSED THIS TELEPHONE, USING IT
FOR NUMEROUS CALLS OUTSIDE THE WOUNDED KNEE AREA, TO INCLUDE
INTERNATION EXTENSIONS.

HUDSON STATED USMS RECORDS WILL BE ABLE TO FURNISH
EXACT DATES ON THE PERIOD IN WHICH THE SERVICE WAS IN OPERATION
AND THAT HE WILL REVIEW THEM EXPEDITIOUSLY.

END PAGE THREE

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S. Government Printing Office: 1972 - 495-578

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Date:

Transmit the following in _____
(Type in plaintext or code)

Via _____
(Priority)

PAGE FOUR

WFO WILL MAINTAIN CONTACT WITH HUDSON REGARDING ADDITIONAL
INFORMATION IN THIS MATTER.

FD 302 OF INTERVIEW WITH HUDSON WILL FOLLOW.

END.

OFFICE COPY

NR 020 LA PLAIN

PM URGENT MARCH 14, 1974 DLM

TO DIRECTOR (176-2494) *ESF*

MINNEAPOLIS (70-6864) *ACL*

FROM LOS ANGELES (70-7253) (P) 2P

20

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY;
ET AL; OO: MINNEAPOLIS.

RALPH E. ERICKSON, FORMER DEPUTY ATTORNEY GENERAL, CURRENTLY
EMPLOYED AS ATTORNEY WITH LAW FIRM MUSIK, PELER AND GARRETT,
1 WILSHIRE BOULEVARD, LOS ANGELES, CALIFORNIA, INTERVIEWED THIS
DATE CONCERNING ESTABLISHING OF TELEPHONE COMMUNICATIONS BETWEEN
U. S. GOVERNMENT OFFICIALS AND LEADERS OF INSURGENTS OF WOUNDED
KNEE, SOUTH DAKOTA, DURING 1973 OCCUPATION OF TOWN BY MILITANT
AMERICAN INDIANS AND THEIR SUPPORTERS. ERICKSON ADVISED AS
FOLLOWS:

IT WAS HIS RECOLLECTION THAT ONE OF DEMANDS OF INSURGENTS WAS
TO HAVE TELEPHONE SERVICE RESTORED INTO WOUNDED KNEE, FOR COMMUNI-
CATION BETWEEN GOVERNMENT AND INSURGENTS. THESE DEMANDS WERE
WRITTEN DEMANDS BY INDIANS OR WERE PROBABLY IMPARTED THROUGH
USA'S BILL CLAYTON AND HAL BULLIS. ERICKSON SAID HE AUTHORIZED
RE-ESTABLISHMENT OF TELEPHONE LINE INTO WOUNDED KNEE. TOMMY

END PAGE ONE

DJH:dlm
(1) *dlm*

APPROVED

WAS
JSR
SAC

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BY *ULB*

76
278

LA 70-7253

PAGE TWO

HUDSON WAS INSTRUCTED TO ARRANGE FOR ESTABLISHMENT OF TELEPHONE SERVICE. ERICKSON STATED HE HAD NO KNOWLEDGE OF THE MECHANICS OF ARRANGING AND SETTING UP TELEPHONE SERVICE. ERICKSON EMPHATICALLY DENIED THAT THERE WAS ANY "BUG" WHICH WOULD CONSTITUTE A WIRE TAPE VIOLATION.

END

F B I

Date: 3/14/74

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE IMMEDIATE
(Priority)

TO: SAC, QUANTICO VIA FBIHQ *ESF*
FROM: SAC, LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS, CIR - BURGLARY,
ET AL

REBUTEL TO ALL CONTINENTAL OFFICES MARCH 13, 1974.

THE FOLLOWING SPECIAL AGENTS CURRENTLY ATTENDING IN-SERVICE
CLASSES QUANTICO, VIRGINIA, AND WERE AT WOUNDED KNEE DURING
OCCUPATION: SA [REDACTED], SA [REDACTED] AND
SA [REDACTED]

QUANTICO INSURE THESE AGENTS INTERVIEWED AS INSTRUCTED
IN REBUTEL AND ADVISE BUREAU AND MINNEAPOLIS OF RESULTS.

70-7253

TES/sro
(1)

70-7253-279
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Approved: *[Signature]*
Special Agent in Charge

Sent 3:00 P.M. Per *Sma*

F B I

Date: 3/14/74

28

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: SAC, NEW YORK
FROM: SAC, LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS EUGENE BANKS; CIR - BURGLARY;
ET AL

REBUTEL TO ALL CONTINENTAL OFFICES MARCH 13, 1974.

SA CURRENTLY ASSIGNED NEW YORK DIVISION
AND WAS AT WOUNDED KNEE DURING OCCUPATION BY MILITANTS.
NEW YORK HANDLE INTERVIEW IN ACCORDANCE WITH INSTRUCTIONS
SET FORTH IN RETEL.

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70-7253

TES/sro
(1)70-7253-280
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Approved: _____

Special Agent in Charge

Sent

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Per

122

F B I

Date: 3/14/74

26

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: SAC, SAN FRANCISCO *CRH*
FROM: SAC, LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY;
ET AL

REBUTEL TO ALL CONTINENTAL OFFICES MARCH 13, 1974, AND
LOS ANGELES TELCAL TODAY.

FOLLOWING LOS ANGELES AGENTS ON SPECIAL ASSIGNMENT,
SAN FRANCISCO DIVISION, AND WERE AT WOUNDED KNEE DURING
OCCUPATION BY MILITANT GROUPS: [REDACTED]

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b7C

[REDACTED]
[REDACTED] AND [REDACTED]
[REDACTED]

SAN FRANCISCO HANDLE INTERVIEWS IN ACCORDANCE WITH
INSTRUCTIONS SET FORTH IN RETEL.

70-7253

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70-7253-281
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FILED

#168
Approved: _____
Special Agent in Charge

Sent *157/p* MPer *Brd*

F B I

Date: 3/14/74

27

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: SAC, ^{WRS}KANSAS CITY
FROM: SAC, LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS EUGENE BANKS; CIR - BURGLARY;
ET AL

REBUTEL TO ALL CONTINENTAL OFFICES MARCH 13, 1974.

FOLLOWING AGENTS CURRENTLY ASSIGNED KANSAS CITY DIVISION
AND WERE AT WOUNDED KNEE DURING OCCUPATION BY MILITANTS:

SA AND SA

KANSAS CITY HANDLE INTERVIEWS IN ACCORDANCE WITH
INSTRUCTIONS SET FORTH IN RETEL.

70-7253

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70-7253-282
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#16 ✓
Approved: _____
Special Agent in Charge

Sent 7:44 PM Per 282

NR223 DE PLAIN

2:33 PM IMMEDIATE MARCH 14, 1974 GJM

TO DIRECTOR (70-59529)

MINNEAPOLIS (70-6870)

LOS ANGELES

MIAMI

SAN FRANCISCO

FROM DETROIT (77-2321) 2P

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY;
ET AL.

RE BUREAU TELETYPE TO ALL CONTINENTAL OFFICES, MARCH
13, 1974.

THE FOLLOWING SPECIAL AGENTS WHO WERE ASSIGNED TO WOUNDED
KNEE, SOUTH DAKOTA FROM THE DETROIT DIVISION HAVE RESIGNED
AND THEIR LAST KNOWN ADDRESSES ARE AS FOLLOWS:

[REDACTED]
[REDACTED] TUSTIN, CALIFORNIA; [REDACTED]

[REDACTED] STREET, NORTH MIAMI, FLORIDA. SA

[REDACTED] IS CURRENTLY ASSIGNED TO LANGUAGE SCHOOL,
MONTEREY, CALIFORNIA. SPECIAL AGENTS IN DETROIT DIVISION
WHO WERE ASSIGNED TO WOUNDED KNEE INTERVIEWED IN ACCORDANCE
WITH INSTRUCTIONS AND FOLLOWING STATED THAT THEY DID SERVE
ON ROADBLOCK ONE: [REDACTED] [REDACTED]

END OF PAGE ONE

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J.B.
Case @ D. Hurley
JH

PAGE TWO

DE 70-2321

[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] AND THEIR ANSWERS TO QUESTIONS 2, 3, AND
4 AS REQUESTED IN REFERENCED TELETYPE WERE NO.

THE FOLLOWING SPECIAL AGENTS STATED THEY DID NOT SERVE
ON ROADBLOCK ONE AND THEIR ANSWERS TO QUESTIONS 2, 3, AND 4
WERE NO: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

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[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]
LOS ANGELES, AT TUSTIN, CALIFORNIA: INTERVIEW [REDACTED]
[REDACTED] IN ACCORDANCE WITH INSTRUCTIONS SET FORTH IN REFERENCED
TELETYPE.

MIAMI, AT NORTH MIAMI, FLORIDA: INTERVIEW [REDACTED]
[REDACTED] [REDACTED] IN ACCORDANCE WITH INSTRUCTIONS SET FORTH IN
REFERENCED TELETYPE.

SAN FRANCISCO, AT MONTEREY, CALIFORNIA: INTERVIEW
SA [REDACTED] [REDACTED] IN ACCORDANCE WITH INSTRUCTIONS SET
FORTH IN REFERENCED TELETYPE.

END

SMA FBI LA TU CLR

F B I

Date: 3/14/74

29

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE ~~URGENT~~ *Nitel*
(Priority)

TO: DIRECTOR, FBI (70-59589) *ESP* *NITEL*
 SAC, MINNEAPOLIS (70-6870) ~~URGENT~~ *NITEL AGL*

FROM: SAC, LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY;
 ET AL

REBUTEL TO ALL CONTINENTAL OFFICES MARCH 13, 1974, DETROIT
 TEL TO BUREAU, MINNEAPOLIS, MIAMI, LOS ANGELES AND SAN FRANCISCO
 MARCH 14, 1974, WFO TEL TO BUREAU, MINNEAPOLIS AND LOS ANGELES
 MARCH 14, 1974, LOS ANGELES TELCAL TO SAN FRANCISCO MARCH 14,
 1974, AND LOS ANGELES TEL TO QUANTICO MARCH 14, 1974.

SPECIAL AGENTS, LOS ANGELES DIVISION, WHO WERE ASSIGNED TO
 WOUNDED KNEE INTERVIEWED IN ACCORDANCE WITH INSTRUCTIONS IN
 REBUTEL WITH FOLLOWING RESULTS:

FOLLOWING SPECIAL AGENTS STATED THEY DID NOT SERVE ON
 ROAD BLOCK ONE: [REDACTED]

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[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED] THOMAS N. FARRIS, [REDACTED]

70-7253

TES/sro
 (1)

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FILED []

Approved: [Signature]

Special Agent in Charge

Sent *WA - 646/p*
MP - 733/p M

Per [Signature]

LA 70-7253

PAGE TWO

[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

24

MICHAEL P. SHANAHAN, [REDACTED] AND [REDACTED]

FOLLOWING SPECIAL AGENTS STATED THEY WERE ON ROAD BLOCK
ONE AND WERE UNAWARE OF PARTY TELEPHONE: [REDACTED]

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[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] WILLIAM J. HURLEY, [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] AND [REDACTED]

11

THE FOLLOWING SPECIAL AGENTS STATED THEY WERE ON ROAD BLOCK
ONE AND WERE AWARE OF PARTY TELEPHONE. NONE USED THE TELEPHONE
FOR ANY PURPOSE AND NONE INTERCEPTED ANY CONVERSATIONS:

5

[REDACTED] [REDACTED]
[REDACTED] AND [REDACTED]

THE FOLLOWING SPECIAL AGENTS ARE CURRENTLY IN-SERVICE AND
SEPARATE LEAD SET FORTH TO INTERVIEW THEM: [REDACTED] [REDACTED]

3

[REDACTED] AND [REDACTED]

THE FOLLOWING SPECIAL AGENTS CURRENTLY ON SPECIAL ASSIGNMENT
SAN FRANCISCO DIVISION, AND SAN FRANCISCO WILL HANDLE:

LA 70-7253

PAGE THREE*

[REDACTED] [REDACTED]
[REDACTED] [REDACTED] AND [REDACTED]

LEADS TO INTERVIEW SET FORTH SEPARATELY.

FORMER SA [REDACTED] TUSTIN,
CALIFORNIA, STATED HE WAS ON ROAD BLOCK ONE; HOWEVER, THERE
WAS NO TELEPHONE INSTALLED DURING HIS STAY.

b6
b7C

FORMER SA [REDACTED] THOUSAND
OAKS, CALIFORNIA, STATED HE WAS ON ROAD BLOCK ONE; HOWEVER,
NO TELEPHONE INSTALLED DURING HIS STAY.

SA [REDACTED] FORMERLY ASSIGNED LOS ANGELES
DIVISION, NOW ASSIGNED NEW YORK. SAS [REDACTED] AND
[REDACTED] FORMERLY ASSIGNED LOS ANGELES, NOW ASSIGNED
KANSAS CITY. LEADS TO INTERVIEW SET FORTH SEPARATELY.

EFFORTS BEING MADE TO INTERVIEW RALPH ERICKSON, FORMER
DEPUTY ATTORNEY GENERAL. SECRETARY TO ERICKSON ADVISED BUREAU
AGENT TODAY THAT SHE BELIEVED ERICKSON CONTACTED TELEPHONICALLY
BY EITHER FBI OR USA'S OFFICE, MINNEAPOLIS, THIS MORNING.
SECRETARY STATES ERICKSON UNAVAILABLE FOR CONTACT AT THIS TIME
BUT MIGHT POSSIBLY BE IN OFFICE LATER IN DAY. RESULTS OF
INTERVIEW WILL BE FURNISHED SEPARATELY.

NR004 WF CODED

355 PM IMMEDIATE MARCH 14, 1974 WWC

TO: DIRECTOR, FBI (176-2404) AND
SACS, MINNEAPOLIS (70-6864)
LOS ANGELES

FROM: SAC, WFO (157-6209) (P) (5P)

RUSSELL CHARLES MEANS; DENNIS JAMES BANK, CIR-BUGLARY,
ET AL, (OO:MP).

REBUREAU TELETYPE DATED MARCH 13, 1974; WFO. TELETYPE
TO MINNEAPOLIS DATED MARCH 13, 1974, COPY FURNISHED TO BUREAU
AND WFO TELCAL TO LOS ANGELES ON MARCH 14, 1974.

TOMMY HUDSON, UNITED STATES MARSHAL'S SERVICE,
WASHINGTON, D.C. (WDC), WAS RE-INTERVIEWED THIS DATE
CONCERNING THE ESTABLISHING OF TELEPHONE COMMUNICATIONS
BETWEEN UNITED STATES GOVERNMENT OFFICIALS AND LEADERS OF
THE INSURGENTS OF WOUNDED KNEE, SOUTH DAKOTA, DURING THE
1973 OCCUPATION OF THE TOWN BY MILITANT AMERICAN INDIANS
AND THEIR SUPPORTERS. HUDSON ADVISED THE FOLLOWING IN
CLARIFYING HIS REMARKS MADE ON MARCH 13, 1974:

TELEPHONE SERVICE WAS RE-ESTABLISHED TO WOUNDED KNEE

END PAGE ONE

44-153-21

SEARCHED	INDEXED
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FBI - LOS ANGELES	

Hurley

PAGE TWO

IN EARLY MARCH, 1973, AFTER AN AGREEMENT WAS MADE BETWEEN THE GOVERNMENT NEGOTIATORS AND REPRESENTATIVES OF THE INSURGENTS OF A NEED FOR COMMUNICATIONS BETWEEN THE TWO AND IT WAS AGREED UPON THAT THE TELEPHONE WOULD PROVIDE THE BEST SERVICE.

HUDSON STATED AT THAT TIME THERE EXISTED A TELEPHONE SYSTEM INTO WOUNDED KNEE WHICH HAD PREVIOUSLY BEEN IN SERVICE UNTIL SHORTLY AFTER THE OCCUPATION BEGAN. THIS SYSTEM WAS A RURAL MULTI-PARTY LINE WITH EXTENSIONS IN MANY HOMES AND STORES. IN ORDER TO ESTABLISH TELEPHONE COMMUNICATIONS WITH THE INSURGENTS, IT WAS NECESSARY TO REPAIR THIS LINE, WHICH IN TURN OPENED SERVICE FOR ALL THE PHONES ON THIS PARTY LINE. TO FACILITATE BETTER COMMUNICATIONS, A DROP LINE WAS MADE AT RB NUMBER ONE ON THIS MULTI-PARTY LINE IN ORDER TO ESTABLISH COMMUNICATIONS WITH RB NUMBER ONE FOR BOTH THE OCCUPANT AND THE GOVERNMENT COMMAND AT PINE RIDGE, SOUTH DAKOTA.

WHEN SERVICE WAS REINSTATED IT WAS NOW POSSIBLE FOR ANYONE AT ANY OF THE EXTENSIONS ON THE PARTY LINE TO

END PAGE TWO

PAGE THREE

CALL INSIDE OR OUTSIDE OF WOUNDED KNEE TO ANY WORKING EXTENSION. IN RETURN, ANY OUTSIDE TELEPHONE COULD BE USED TO CALL INTO WOUNDED KNEE. BECAUSE OF THE NATURE OF THE MULTI-PARTY LINE, IT WAS POSSIBLE FOR ANY AND ALL PERSONS ON THIS LINE TO OVER HEAR CONVERSATIONS OF OTHERS UTILIZING THIS LINE. THIS WAS KNOWN BY THE GOVERNMENT, THE INSURGENTS AND THE RESIDENTS OF WOUNDED KNEE, ALL KNOWING THEY DID NOT HAVE A PRIVATE TELEPHONE LINE.

HUDSON ADVISED THE TELEPHONE AT THE COMMAND POST WAS NOT PART OF THE WOUNDED KNEE PARTY-LINE AND CONVERSATIONS ON THE PARTY-LINE COULD NOT BE OVERHEARD BY THE COMMAND POST.

WAYNE B. COLBURN, DIRECTOR, UNITED STATES MARSHAL'S SERVICE, WAS INTERVIEWED THIS DATE AND PROVIDED INFORMATION SIMILAR TO THAT OF HUDSON. IN ADDITION, COLBURN STATED THAT TO HIS KNOWLEDGE, THE TELEPHONE INSTRUMENT ON THE DROP LINE AT RB NUMBER ONE WAS REMOVED AFTER TELEPHONE SERVICE INTO WOUNDED KNEE WAS INTERRUPTED LATER IN MARCH,

END PAGE THREE

PAGE FOUR

1973, AND THAT THE DROP LINE WAS NOT IN USE WHEN SERVICE WAS CONTINUED FOR A SECOND TIME IN APRIL, 1973, FOR USE BY AMERICAN INDIAN MOVEMENT LEADER RUSSELL MEANS IN COMMUNICATING WITH WOUNDED KNEE OCCUPANTS FROM WDC.

COLBURN ALSO STATED THAT AT ONE POINT DURING THE OCCUPATION, RB NUMBER ONE WAS RELOCATED TO A POSITION FARTHER AWAY FROM WOUNDED KNEE, LEAVING THE DROP LINE, WHICH WAS AT THE FIRST RB NUMBER ONE POSITION, NO LONGER ACCESSIBLE TO AGENTS MANNING THE NEW RB NUMBER ONE POST.

FOR THE INFORMATION OF LOS ANGELES, RALPH ERICKSON, FORMER DEPUTY ATTORNEY GENERAL, WHO WAS THE SENIOR GOVERNMENT OFFICIAL, HAS BEEN IDENTIFIED AS HAVING NEGOTIATED THE TELEPHONE AGREEMENT AND AUTHORIZED ITS INSTALLATION. ERICKSON IS PRESENTLY EMPLOYED WITH LAW FIRM OF MUSECH, REELES, AND GARRETT, ONE WILSHIRE BOULEVARD, LOS ANGELES, CALIFORNIA.

ERICKSON IS TO BE INTERVIEWED AS SOON AS POSSIBLE CONCERNING HIS KNOWLEDGE OF THIS MATTER AND THE RESULTS FORWARDED EXPEDITIOUSLY TO THE BUREAU AND MINNEAPOLIS.

END PAGE FOUR

PAGE FIVE

LOS ANGELES IS BEING FURNISHED REFERENCED WFO TELETYPE
DATED MARCH 13, 1974, FOR BACKGROUND INFORMATION BY
FACSIMILE.

MINNEAPOLIS WILL REVIEW FILES TO DETERMINE THE DATES
RB NUMBER ONE WAS IN OPERATION AND THE DATE IT WAS RELOCATED.
MINNEAPOLIS INSURE PROSECUTING ATTORNEYS ARE COGNIZANT
OF THE RESULTS OF WFO INVESTIGATION.

FD 302'S OF INTERVIEWS WITH HUDSON AND COLBURN WILL
FOLLOW.

END.

SMA FBI LA TU CLR

NR056 WA PLAIN

8:47PM URGENT 3-15-74 MES

TO MINNEAPOLIS

KANSAS CITY

LOS ANGELES

FROM DIRECTOR 2P

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY, ET AL

REFERENCE MINNEAPOLIS TELETYPE TO ALL CONTINENTAL
OFFICES MARCH 13 LAST. THE FOLLOWING SPECIAL AGENTS
WERE ASSIGNED AT WOUNDED KNEE, SOUTH DAKOTA, AND WERE
INTERVIEWED MARCH 15, 1974, AT QUANTICO, VIRGINIA. ALL
SERVED AT ROAD BLOCK NUMBER ONE ON DATES INDICATED AFTER
THEIR NAMES AND NONE HAS ANY KNOWLEDGE OF ANY TELEPHONE
AT THIS ROAD BLOCK.

[REDACTED] AND [REDACTED] LOS

ANGELES DIVISION, MARCH 13 TO APRIL 8, 1973; [REDACTED]

[REDACTED], LOS ANGELES DIVISION, APRIL 17 TO MAY 13, 1973;

[REDACTED] ASSIGNED KANSAS CITY DIVISION DURING

END PAGE ONE

b6
b7C

70-7253-286

SEARCHED	INDEXED
SERIALIZED	FILED
APR 15 1974	
FBI - LOS ANGELES	

Harley

OK

PAGE TWO .

WOUNDED KNEE OCCUPATION, NOW ON QUANTICO STAFF,
APRIL 11 TO MAY 15, 1973; [REDACTED] QUANTICO
STAFF, APRIL 3 TO 17, 1973; L. COTTRELL SCHMIDLE,
QUANTICO STAFF, APRIL 19 TO MAY 10, 1973.

b6
b7C

QUANTICO TELEPHONE CALL TO ASAC, MINNEAPOLIS,
MARCH 15, 1974, ADVISED THAT SA [REDACTED]
QUANTICO STAFF, AT WOUNDED KNEE MARCH 1 TO 9, 1973, IS
ON ANNUAL LEAVE EN ROUTE TO BEAUFORT, SOUTH CAROLINA;
ASAC, MINNEAPOLIS, ADVISED HE WILL CONTACT SA [REDACTED]
END

ACK FOR THREE

JJS FBI LOS ANGELES

CLR

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (70-7253)(P)

DATE: 3/15/74

FROM : SA [REDACTED]

SUBJECT: RUSSELL CHARLES MEANS;
DENNIS JAMES BANKS
CIR - BURGLARY; ET AL;
OO: Minneapolis

On 3/14/74, SA [REDACTED] Washington Field, telephonically advised that U. S. Marshal TOMMY HUDSON was reinterviewed this date regarding the telephone service established on Road Block One to Wounded Knee during occupation by members of American Indian Movement (AIM). HUDSON advised that he had established the telephone line at the direction of then Deputy Attorney General RALPH ERICKSON.

SA [REDACTED] advised that a teletype would be shortly en route to Los Angeles with background information regarding the interview of HUDSON and that he was calling so that an appointment could be made with ERICKSON for interview subsequent to the arrival of the teletype. He further advised that ERICKSON was interviewed in Los Angeles during November 1973, and that difficulty had ensued in contacting him as he was an extremely busy individual. SA [REDACTED] reiterated that the interview should not be conducted until background information was received from Washington Field.

SA DANIEL J. HURLEY and LEROY SHEETS will handle interview of ERICKSON this date per Washington Field request in view of their previous interview of ERICKSON.

[REDACTED] MGR
(2)

70-7253-287

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 15 1974	
FBI - LOS ANGELES	

Hurley



F B I

Date: 3/15/74 4

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)

TO: ^{RXH} DIRECTOR (176-2494), ^{DSC} MINNEAPOLIS (70-6864)
FROM: LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS, CIR -
BURGLARY; ET AL (OO: MP)

RE LOS ANGELES TEL TO BUREAU AND MINNEAPOLIS, MARCH 14,
1974.

RALPH E. ERICKSON, FORMER DEPUTY ATTORNEY GENERAL,
CURRENTLY EMPLOYED AS ATTORNEY WITH LAW FIRM MUSIK, PEELER
& GARRETT, ONE WILSHIRE BOULEVARD, LOS ANGELES, CALIFORNIA,
ADVISED THIS DATE HE DOES NOT KNOW OF ANY TELEPHONE
INTERCEPTIONS BE IT BY GOVERNMENT EMPLOYEE OR CITIZEN OR
AIM PEOPLE ^{OF} ~~WHO INTERCEPTED~~ ANY CONVERSATIONS ON THE TELEPHONE
LINES AT WOUNDED KNEE, SOUTH DAKOTA DURING 1973 OCCUPATION
OF TOWN BY MILITANT AMERICAN INDIANS AND SUPPORTERS.

70-7253
DJH/gcw
(1)

70-10555-288
SEARCHED
INDEXED
SERIALIZED

Approved: #168

Special Agent in Charge

Sent

WA 12:36 P.M.
MP 12:48 P.M. - Per SMA

SAC, MINNEAPOLIS (70-6864)

3/15/74

jh
SAC, LOS ANGELES (70-7253)(RUC)

RUSSELL CHARLES MEANS;
DENNIS JAMES BANKS
CIR - BURGLARY; ET AL
OO: Minneapolis

Re Los Angeles tel to Bureau 3/15/74.

Enclosed herewith for Minneapolis are two Xerox
copies of two FD-302s reflecting interview with RALPH E.
ERICKSON, former Deputy Attorney General.

2 - Minneapolis (Enc 4) (RM)
1 - Los Angeles
TES/sro
(3)

70-7253-291
SEARCHED

INDEXED

SERIALIZED

FILED

NR 011 MP CODED

3:25 PM NITEL MARCH 15, 1974 MRH SENT 3/16/74

TO DIRECTOR (ATTENTION: JOHN C. GORDON, ROOM 2266, GENERAL CRIMES
UNIT, GENERAL INVESTIGATIVE DIVISION)

LOS ANGELES

MILWAUKEE

NEW ORLEANS

SAN FRANCISCO

FROM MINNEAPOLIS (70-6832- SUB Q) (P) TWO PAGES

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY, LARCENY,
ARL, AFO; WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA.

USA, SIOUX FALLS, SOUTH DAKOTA, REQUESTS THE FOLLOWING AGENTS
APPEAR ST. PAUL, MINNESOTA, RESIDENT AGENCY, UNITED STATES COURT
HOUSE AND FEDERAL BUILDING, ST, PAUL, MINNESOTA, 316 NORTH ROBERT
STREET, ST. PAUL, BY 6:00 PM, SUNDAY, MARCH 17, 1974:

SAC HERBERT E. HOXIE - MILWAUKEE

SA [REDACTED] - MILWAUKEE

SA [REDACTED] - LOS ANGELES

SA [REDACTED] - NEW ORLEANS

END PAGE ONE

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b7c

advised
8:49 AM 3/16/74
[Signature]

16
Tu

70-6832-292
16
[Stamp]

PAGE TWO

MP 70-6832 - SUB Q

SA [REDACTED] (NEE [REDACTED]) - SAN FRANCISCO.

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b7c

USA HAS ADVISED THAT THE ABOVE AGENT'S TESTIMONY NEEDED IN CAPTIONED MATTER FOR MOTION HEARING TO BE HELD MONDAY, MARCH 18, 1974. THESE AGENTS ARE EXPECTED TO TESTIFY RELATIVE TO THEIR KNOWLEDGE AND USE OF A PARTY LINE TELEPHONE WHICH WAS INSTALLED AND IN USE FOR BRIEF PERIOD OF TIME AT ROADBLOCK ONE DURING THE WOUNDED KNEE OCCUPATION BETWEEN FEBRUARY 27, 1973 AND MAY 8, 1973. SAC, MINNEAPOLIS, CONCURS WITH USA THAT TESTIMONY OF ABOVE AGENTS IS ESSENTIAL.

LIMOUSINE SERVICE IS AVAILABLE FROM MINNEAPOLIS - ST. PAUL INTERNATIONAL AIRPORT TO HOTEL HILTON, 11 EAST KELLOG BOULEVARD, ST. PAUL, MINNESOTA, WHICH IS LOCATED ONE BLOCK FROM THE FEDERAL OFFICE IN UNITED STATES COURT HOUSE BUILDING. ARRIVING AGENTS SHOULD TELEPHONICALLY CONTACT MINNEAPOLIS FBI, TELEPHONE 339-7861, TO RECEIVE INSTRUCTIONS RE RESERVATIONS WHICH WILL BE MADE FOR THEM.

AGENTS TO REPORT AS ABOVE, UACB.

END

JSL FBILA CLR

NR 002 MP CODED

10:40 AM URGENT MARCH 16, 1974 DSC

TO LOS ANGELES ATTN: SA [REDACTED]

MILWAUKEE ATTN: SAC HERBERT E. HOXIE

NEW ORLEANS ATTN: SA [REDACTED]

SAN FRANCISCO ATTN: SA [REDACTED]

FROM MINNEAPOLIS 70-6832 - SUB C P. ONE PAGE

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY,
LARCENY, ARL, AFO; WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MN.

b6
b7c

RE MINNEAPOLIS NITEL TO THE BUREAU, DATED MARCH 15, 1974.

SUBPOENAED AGENTS ARRIVING AT ST. PAUL, MINNESOTA, CONCERNING
THE CAPTIONED MATTER ARE TO TAKE AIRPORT LIMOUSINE SERVICE TO CAPP
TOWERS MOTOR HOTEL, 77 EAST 9TH STREET, ST. PAUL, MINNESOTA AND
NOT HOTEL HILTON PER REFERENCED NITEL. AGENTS AFTER REGISTERING AT
HOTEL ARE TO CALL MINNEAPOLIS HEADQUARTERS OFFICE, 339-7861, AND
ASCERTAIN LOCATION OF PRE-TRIAL CONFERENCES SCHEDULED FOR 6:00 PM,
SUNDAY, MARCH 17, 1974.

END

SMA FBI LA TU

advised
3/16/74
11:30 PM

353-293

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SERIALIZED	FILED
FBI - LOS ANGELES	

F B I

Date: 3/21/74

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE IMMEDIATE
(Priority)

TO: SAC, MINNEAPOLIS (70-6832) *DSC*
SAC, SAN FRANCISCO *SFL*

FROM: SAC, LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY,
ET AL; WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA.

REBUTEL TO ALL OFFICES MARCH 21, 1974.

FOLLOWING POLL OF AGENTS CURRENTLY ASSIGNED LOS ANGELES
DIVISION, THE FOLLOWING INFORMATION SET FORTH:

- (1) 55 AGENTS ASSIGNED TO WOUNDED KNEE DURING OCCUPATION
FEBRUARY 27 - MAY 8, 1973.
- (2) 25 AGENTS SERVED ON ROAD BLOCK ONE.
- (3) FIVE AGENTS KNEW OF TELEPHONE INSTALLATION.
- (4) NO AGENT USED THE TELEPHONE FOR ANY PURPOSE.

70-7253

TES/sro

(1)

SEARCHED
INDEXED
SERIALIZED

FILED

Approved: *[Signature]*
Special Agent in Charge

Sent *MP 2:28*
SF 2:15/P M

Per *[Signature]*

LA 70-7253

PAGE TWO*

ADMINISTRATIVE: FOLLOWING AGENTS CURRENTLY ON SPECIAL
ASSIGNMENT AT SAN FRANCISCO:

	AND		AND INCLUDED IN ITEM ONE.

b6
b7C

SAN FRANCISCO IMMEDIATELY CONTACT ABOVE SIX AGENTS AND
FURNISH RESULTS OF CONTACT TO MINNEAPOLIS AS SET FORTH IN
REBUTEL.

NR021 WA PLAIN

2:10 PM IMMEDIATE 3/21/74 KAC

TO ALL SACS EXCEPT ANCHORAGE AND HONOLULU
FROM DIRECTOR 2P

7 - 7 11 + 11 - 24 +
11 11 / "
RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY - ET AL.
WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA.

ON MARCH 21, 1974, AUSA RICHARD D. HURD ADVISED IT WAS NECESSARY TO OBTAIN FURTHER INFORMATION REGARDING TELEPHONE INSTALLATION AT ROADBLOCK ONE, OUTSIDE OF WOUNDED KNEE, SOUTH DAKOTA, DURING THE OCCUPATION, WHICH LASTED FEBRUARY 27 - MAY 8, 1973.

ALL RECEIVING OFFICES IMMEDIATELY POLL AGENTS CURRENTLY ASSIGNED YOUR OFFICE TO (1) DETERMINE THE NUMBER OF AGENTS IN YOUR OFFICE WHO WERE ASSIGNED TO WOUNDED KNEE DURING THE OCCUPATION FEBRUARY 27 - MAY 8, 1973. (2) THE NUMBER OF AGENTS WHO SERVED ON ROADBLOCK ONE (3) THE NUMBER OF AGENTS WHO KNEW OF TELEPHONE INSTALLATION (4) NUMBER OF AGENTS WHO USED THE TELEPHONE FOR ANY PURPOSE. IF POSITIVE, GIVE PARTICULARS.

BUREAU REQUESTED TO CONTACT ALL CONTINENTAL OFFICES AND SAN JUAN.

SUTEL MINNEAPOLIS BY 1:30 PM CDT, THIS DATE.

END PAGE ONE

70-7253-295

157 157 157

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MAR 21 1974	
FBI - LOS ANGELES	

PAGE TWO

ADMINISTRATIVE: FOR INFORMATION, TELETYPES SENT IN RESPONSE TO THIS REQUEST WILL BE TURNED OVER TO THE COURT AND THE DEFENSE. THIS WILL NOT THEREFORE BE CONSIDERED AN INTERNAL DOCUMENT. SUBMIT IN FORM SUITABLE FOR DISSEMINATION TO COURT, ANY ADMINISTRATIVE DATA SHOULD BE ON SEPARATE LAST PAGE.

END

NR003 WA PLAIN

SENT 12:15AM 3-23-74

PM IMMEDIATE 3-22-74 FLC

TO ALL SACS

FROM DIRECTOR 3P

DENNIS JAMES BANKS; RUSSELL CHARLES MEANS; CIR - BURGLARY, ETC.

FOLLOWING RECEIVED FROM SAC, MINNEAPOLIS BY TELETYPE
MARCH 22, 1974:

"RE BUREAU TELCALL FROM SECTION CHIEF RICHARD BATES, GENERAL
INVESTIGATIVE DIVISION, TO SAC, MINNEAPOLIS, THIS DATE.

BY COURT ORDER DATED MARCH 21, 1974, IN INSTANT CASE, UNITED
STATES DISTRICT COURT JUDGE FRED J. NICHOL AT ST. PAUL, MINNESOTA,
INSTRUCTED IN PART THAT "AUSA R. D. HURD PERSONALLY EXAMINE THE
FILES OF THE FBI INVOLVING INFORMER CONTACTS RELATIVE TO THE
"WOUNDED KNEE INCIDENT".

REFERENCED BUREAU TELCALL INSTRUCTED MINNEAPOLIS TO SUBMIT
INSTANT TELETYPE TO ALL OFFICES WITH INSTRUCTIONS THAT UPON
RECEIPT OF THIS TELETYPE SATURDAY MARCH 23, 1974, A.M., WHEN
OFFICE OPENS, ALL INFORMANTS FILES OF ANY TYPE,
CRIMINAL, SECURITY, OR EXTREMIST, BE REVIEWED BY RECEIVING
OFFICES FOR ANY INFORMATION CONCERNING WOUNDED KNEE.

IF SUCH INFORMATION IS LOCATED, THEN THE ENTIRE VOLUME

END PAGE ONE

Rec'd ds
Supr
SAC Stroh
SAC Lumborg
Left stops w/
Supr

44-7353-296
SEARCHED INDEXED
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FBI - LOS ANGELES
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b7C

PAGE TWO

CONTAINING THAT INFORMATION MUST BE SUBMITTED TO MINNEAPOLIS BY THE MOST EXPEDITIOUS MEANS RETURN RECEIPT REQUESTED. IF INFORMATION IS CONTAINED IN MORE THAN ONE VOLUME, FOR EXAMPLE, IN THREE SEPARATE VOLUMES, THEN ALL THREE VOLUMES MUST BE SUBMITTED IN THEIR ENTIRETY. DO NOT SEND JUST THE PERTINENT SERIALS. SEND THE ENTIRE FILE INCLUDING FILE COVER (FD-245) AND BACK. IF, IN SECURITY TYPE INFORMANTS, THE ADMINISTRATIVE VOLUME COVERING THE TIME PERIOD OF THE SUBSTANTIVE FILE MUST BE ALSO SENT. FOR EXAMPLE, IF THE SUBSTANTIVE FILE REFLECTS INFORMATION IN FEBRUARY AND AUGUST, 1973, THE ADMINISTRATIVE VOLUMES INCLUDING THAT PERIOD OF TIME MUST ALSO BE SUBMITTED.

WHEN THE FILES ARE TRANSMITTED TO MINNEAPOLIS, THEY MUST HAVE A COVER COMMUNICATION ON TOP OF EACH VOLUME INDICATING WHAT SERIALS IN THE VOLUME ARE THE PERTINENT ONES.

ANY OFFICES HAVING NO SUCH INFORMATION IN THEIR INFORMANT FILES SHOULD SUTEL TO MINNEAPOLIS THAT THEIR FILES HAVE BEEN REVIEWED AND ARE NEGATIVE.

END PAGE TWO

PAGE THREE

IT SHOULD BE EMPHASIZED TO ALL OFFICES THAT THE DECISION AS TO THE EXTENT AUSA HURD CAN REVIEW THESE FILES IS STILL UNDER CONSIDERATION BY FBI HEADQUARTERS AND THE UNITED STATES DEPARTMENT OF JUSTICE.

ALL COMMUNICATIONS IN REGARD TO INSTANT PROJECT SHOULD BE SENT ATTENTION SUPERVISOR STRAWMAN."

END

PVC FBI PG

NR003 MP CODED

5:53PM URGENT MARCH 23, 1974 DCW

TO DIRECTOR (ATTN: JOHN C. GORDON

ROOM 2266, GENERAL CRIMES UNIT, GENERAL
INVESTIGATIVE DIV.

LOS ANGELES (70-7253)

PHOENIX

WFO

FROM MINNEAPOLIS (70-6864) 4P

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS. CIR - BURGLARY, ETC.
WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA

RE LOS ANGELES LETTER TO MINNEAPOLIS MARCH 15, 1974.

ON FRIDAY, MARCH 22, 1974, DURING A HEARING CONCERNING
POSSIBLE ILLEGAL WIRETAP BY THE U. S. GOVERNMENT DURING
OCCUPATION OF WOUNDED KNEE BETWEEN FEBRUARY 27 AND MAY 8, 1973,
RAMON ROUBIDEAUX, ATTORNEY FOR THE AMERICAN INDIAN MOVEMENT,
TESTIFIED FOR THE DEFENSE. HE TESTIFIED THAT DURING NEGOTIATIONS
BETWEEN U. S. GOVERNMENT AND AIM, IT WAS AGREED UPON THAT A
TELEPHONE LINE WOULD BE INSTALLED BETWEEN PINE RIDGE, SOUTH
DAKOTA, WHERE GOVERNMENT COMMAND POST WAS LOCATED AND THE
END PAGE ONE

70-7253-297
SEARCHED INDEXED
SERIALIZED FILED

APR 1 1974
FBI - LOS ANGELES
Huntley

T4/8/74

07A
00:05
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PAGE TWO

MP 70-6864

WOUNDED KNEE TRADING POST WHERE AIM MILITANTS WERE LOCATED. THIS TELEPHONE LINE WAS ESTABLISHED IN EARLY MARCH, 1973, AND DURING A NEGOTIATION MEETING AT THE BIA HEADQUARTERS BUILDING, PINE RIDGE, SOUTH DAKOTA, HE MET WITH STANLEY LYMAN, PINE RIDGE SUPERINTENDENT; WYMAN BABY, AREA BIA SUPERINTENDENT, ABERDEEN, SOUTH DAKOTA; [REDACTED] AND RALPH ERICKSON OF THE DEPARTMENT OF JUSTICE.

ROUBIDEAUX TESTIFIED THAT ALL OR SOME OF THE ABOVE MENTIONED GOVERNMENT REPRESENTATIVES ASSURED HIM THAT THE TELEPHONE LINE WHICH WAS INSTALLED HAD NO "TAPS" ON IT. DURING ONE OCCASION WHILE IN THE BIA BUILDING, HE REQUESTED THE USE OF A TELEPHONE AND WAS OFFERED THE TELEPHONE IN STANLEY LYMAN'S PRIVATE OFFICE, AND AGAIN WAS ASSURED BY LYMAN THAT THIS WAS A PRIVATE TELEPHONE LINE AND WAS NOT TAPPED. ON ANOTHER OCCASION HE UTILIZED ONE OF LYMAN'S [REDACTED] TELEPHONES AND WAS GIVEN THE SAME ASSURANCE. ON BOTH OCCASIONS HE TELEPHONED FROM THE BIA BUILDING INTO WOUNDED KNEE, SOUTH DAKOTA, AND ALLEGEDLY DISCUSSED ATTORNEY - CLIENT MATTERS, WHICH HE CONSIDERED TO BE

END PAGE TWO

b6
b7c

PRIVILEGED COMMUNICATION.

AUSA HANDLING CASE, ST. PAUL, MINNESOTA, INSTRUCTS THAT ALL ABOVE INDIVIDUALS BE IMMEDIATELY INTERVIEWED CONCERNING KNOWLEDGE IN REGARD TO ASSURANCES ALLEGEDLY GIVEN TO ROUBIDEAUX THAT LINE WAS PRIVATE.

FOR INFO ALL RECEIVING OFFICES, BASIS FOR THIS HEARING IS ALLEGATION MADE BY DEFENSE THAT AN EXTENSION TELEPHONE WHICH WAS LOCATED AT ROADBLOCK ONE, WOUNDED KNEE, SOUTH DAKOTA, WAS MONITORED BY FBI AGENTS AND ATTORNEY-CLIENT COMMUNICATIONS WERE INTERCEPTED. TELEPHONE LINE WAS INSTALLED ON MARCH 5, 1973, AND TELEPHONE WAS IN SERVICE INTERMITTENTLY UP TO APRIL 9, 1973. THIS WAS A DROP LINE (WITH REGULAR TELEPHONE EQUIPMENT) TO THE TELEPHONE AT THE TRADING POST IN WOUNDED KNEE. PERSONS INTERVIEWED SHOULD BE ASKED IF THEY (1) KNEW EXTENSION TELEPHONE WAS LOCATED AT ROADBLOCK; (2) IF THEY EVER INFORMED MEMBERS OF AIM OF TELEPHONE LOCATED ON ROADBLOCK ONE; (3) IF THEY KNEW ABOVE DESCRIBED LINE WAS A PARTYLINE OR SINGLE LINE; (4) IF EVER GAVE ASSURANCES TO ROUBIDEAUX OR ANYONE IN AIM THAT LINE WAS PRIVATE AND NOT TAPPED.

U.S. DEPARTMENT OF JUSTICE, WHO IS ASSISTING

END PAGE THREE

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b7c

PAGE FOUR

MP 70-6864

IN TRIAL, ADVISED THAT HE HAD REQUESTED THAT [REDACTED] BE
INTERVIEWED IN LONDON, ENGLAND, CONCERNING HIS KNOWLEDGE IN
REGARD TO TELEPHONE EXTENSION, BUT ADVISED THIS DATE THAT
THE ABOVE SPECIFIC SITUATION WAS NOT MENTIONED IN PREVIOUS
REQUEST. FBI HEADQUARTERS REQUESTED TO INFORM JUSTICE DEPARTMENT
AND LEGAT LONDON OF THIS FACT.

b6
b7c

LOS ANGELES, WILL REINTERVIEW ERICKSON AT MUSIK LAW FIRM./

PHOENIX, WILL INTERVIEW STANLEY LYMAN, BIA HEADQUARTERS.

WFO, WILL INTERVIEW [REDACTED], U. S. DEPARTMENT OF
JUSTICE.

ALL OFFICES SUTEL RESULTS.

END

JEM

FBI LOS ANGELWS CLR TU

URG13 WA PLAIN

2:23 PM IMMEDIATE 03-23-74 MRF

TO ALL SACS

FROM DIRECTOR 1P

✓ DENNIS JAMES BANKS; RUSSELL CHARLES MEANS; CIR -
BURGLARY, ETC.


REBUTEL MARCH 22, 1974.

PRIOR TO SHIPMENT OF INFORMANT FILES, IDENTITY OF
PERSON WHO IS INFORMANT SHOULD BE REMOVED.
END

ALL OFFICES PLS RET TO ALXXX TALK TKS

44-38861-298

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 23 1974	
FBI - LOS ANGELES	



b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (70-7253) (P)

DATE: 3/23/74

FROM : SA [REDACTED]

b6
b7C

SUBJECT: DISORDERS BY AMERICAN
INDIANS IN SOUTH DAKOTA

Re: MP telephone call to LA this date.

SA [REDACTED] MP, telephonically advised Los Angeles that it would be necessary for the designated Special Agent to be in Minneapolis no later than 3/26/74, PM, with requested informant files. SA [REDACTED] advised that the Bureau had authorized the hand-carrying of instant files to Minneapolis.

b6
b7C

70-7253-299

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAR 28 1974	
FBI - LOS ANGELES	

[REDACTED]

b6
b7C



RCW

F B I

Date: 3/25/74

21

Transmit the following in CODE
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)

TO: DIRECTOR *mxw*
MINNEAPOLIS (70-6832) *DLW*

FROM: LOS ANGELES (70-7253)

DENNIS JAMES BANKS; RUSSELL CHARLES MEANS,
CIR - BURGLARY, ETC.

REBUTEL TO ALL SACs DATED MARCH 22, 1974.

REVIEW OF CRIMINAL, SECURITY AND EXTREMIST INFORMANT
FILES HAS BEEN COMPLETED BY THE LOS ANGELES DIVISION.
PERTINENT FILES HAVE BEEN PACKAGED AND WILL BE PERSONALLY
DELIVERED TO SAC, MINNEAPOLIS BY SA'S [REDACTED]
and [REDACTED] AGENTS WILL DEPART LOS ANGELES ON
3/26/74 AT 8:00 AM ABOARD WESTERN AIRLINES FLIGHT 560,
AND ARRIVE MINNEAPOLIS ^{11:07} ~~10:07~~ PM, CENTRAL DAYLIGHT TIME.

70-7253
[REDACTED] gcw
(1)

100-7253-200
SEARCHED
INDEXED
SERIALIZED

FILED

Approved: *ges*

Special Agent in Charge

Sent

WA: 321/p
MP: 407/p

M

Per

dlw

F B I

Date: 3/25/74

9

Transmit the following in ENCODE
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)

TO: DIRECTOR, FBI PAW
 SAC, MINNEAPOLIS (70-6864) DSC
 SAC, WASHINGTON FIELD REP

ATTN: JOHN C. GORDON, ROOM 2266,
 GENERAL CRIMES UNIT
 GENERAL INVESTIGATIVE UNIT

FROM: SAC, LOS ANGELES (70-7253)

RUSSELL CHARLES MEANS; DENNIS JAMES BANKS, CIR-BURGLARY,
 ETC., WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA.

RE MINNEAPOLIS TELETYPE TO DIRECTOR, LOS ANGELES,
 PHOENIX, AND WASHINGTON FIELD DATED MARCH 23, 1974, CAPTIONED
 AS ABOVE.

MISS [REDACTED] RALPF E. ERICKSON, ATTORNEY,
 MUSIK, PETER GARRETT, ONE WILSHIRE BOULEVARD, LOS ANGELES,
 ADVISED INSTANT THAT ERICKSON IS IN WASHINGTON, D. C., FOR
 NEXT THREE OR FOUR DAYS. HE IS STAYING AT MADISON HOTEL,
 15TH AND M STREET, WASHINGTON, D. C.

MISS [REDACTED] ADVISED THAT ERICKSON HAS MANY COMMITMENTS
 UPON HIS RETURN TO LOS ANGELES AND MAY BE UNAVAILABLE FOR

DJH/lsk,
 (1)

Approved: [Signature]
 Special Agent in Charge

Sent

WA - 1:25/P
 MP - 1:35/P
 WF - 1:32/P M

Per

LA 70-7253

PAGE TWO

INTERVIEW FOR A FEW DAYS.

WASHINGTON FIELD WILL INTERVIEW ERICKSON PER INSTRUCTIONS
SET FORTH IN REFERENCED TELETYPE.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (70-7253)

DATE: 3/26/74

FROM : SUPERVISOR [REDACTED]

b6
b7C
b7D

SUBJECT: WOUNDED KNEE

ReButel to all offices dated 3/23/74,
captioned "DENNIS JAMES BANK; RUSSELL CHARLES MEANS,
CIR - BURGLARY, ETC.

Pursuant to Bureau request, the following
informant files have been sent to the Minneapolis
Division for review by the U. S. Attorney's Office
pursuant to an order of the Federal District Judge:

[REDACTED] and Administrative Section
covering this serial.

[REDACTED] and Administrative Section covering these serials.

[REDACTED] and Administrative Section
covering this serial.

[REDACTED] and
[REDACTED] and Administrative Section covering these serials.

[REDACTED] and
Administrative Section covering these serials.

[REDACTED] gcw
(1)



5010-108

70-7253 (302)
SEARCHED.....INDEXED.....
SERIALIZED.....FILED.....
MAR 25 1974
FBI - LOS ANGELES

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

LA 70-7253

[redacted] and
Administrative Section of these serials).

[redacted] and

[redacted] and

b7D

[redacted].

[redacted] and
Administrative Section covering this serial.

[redacted] and
Administrative Section covering this serial.

[redacted]

[redacted]

[redacted]

[redacted]

NR007 WF CODED

445 PM URGENT MARCH 26, 1974 WWCT

TO: DIRECTOR, FBI (ATTN: JOHN C. GORDON, ROOM 2266,
GENERAL CRIMES UNIT, GENERAL INVESTIGATIVE DIVISION) AND
SACS, MINNEAPOLIS (70-6864)
LOS ANGELES (70-7253)

FROM: SAC, WFO (157-6209) (P) (1P)

RUSSELL CHARGES MEANS; DENNIS JAMES BANKS; CIR-BURGLARY, ET AL;
WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA.

RE MINNEAPOLIS TELETYPE TO BUREAU, MARCH 23, 1974 AND LOS
ANGELES TELETYPE TO BUREAU, MARCH 25, 1974, CAPTIONED AS ABOVE.

RALPH ERICKSON INTERVIEWED THIS DATE PER INSTRUCTIONS IN
RE MINNEAPOLIS TELETYPE AND ADVISED THE FOLLOWING:

HE STATED HE WAS NOT AWARE OF A TELEPHONE EXTENSION AT
ROADBLOCK ONE AND THEREFORE HE WAS NOT IN A POSITION TO ADVISE
AIM IF SUCH A TELEPHONE EXISTED OR KNOW IF THE TELEPHONE LINE
INTO WOUNDED KNEE WAS A PARTY OR SINGLE LINE.

ERICKSON STATED HE NEVER GAVE ASSURANCES TO RAMON ROUBIDEAUX
OR ANYONE IN AIM THAT THE TELEPHONE LINE INTO WOUNDED KNEE WAS
PRIVATE AND NOT TAPPED.

FD 302 WILL FOLLOW.

END.

LRS FBI LA CLRP

70-7253 303

SEARCHED	INDEXED
SERIALIZED	FILED
FBI - LOS ANGELES	

D. Hunsley
(info)

NR 002 DED

4:55 PM URGENT APRIL 3, 1974 DSC

TO BUFFALO BUTTE CHICAGO
DENVER LOS ANGELES MILWAUKEE
NEW ORLEANS OMAHA PORTLAND
ST. LOUIS SAN FRANCISCO TAMPA WFO
FROM MINNEAPOLIS 66-3541 P ONE PAGE

ADMINISTRATIVE HANDLING OF INFORMANT FILES RE DENNIS JAMES BANKS:

RUSSELL CHARLES MEANS; CIR - BURGLARY, ETC.

157-84014 89-1074

70-73114

76-2484

10-73114

89-1674

RE BUTEL TO ALL SACS MARCH 22, 1974, CAPTIONED "DENNIS JAMES.

BANKS; RUSSELL CHARLES MEANS; CIR - BURGLARY, ETC".

b6
b7C
b7D

RETEL INSTRUCTED ALL OFFICES TO FORWARD INFORMANT FILES CONTAINING INFORMATION ABOUT WOUNDED KNEE TO MP FOR REVIEW BY THE AUSA.

THE REVIEW HAS BEEN COMPLETED, AND NO IDENTITIES OF INFORMANTS WERE REQUESTED BY THE ATTORNEYS FOR THE PROSECUTION.

OFFICES TO WHOM COPIES OF THIS COMMUNICATION ARE DIRECTED, SUBMITTED THEIR FILES BY COURIER, AND ARE REQUESTED TO DISPATCH A COURIER TO MP. TO PICK THEM UP. THIS PROCEDURE HAS BEEN APPROVED BY THE BUREAU.

TO REACH THE MINNEAPOLIS OFFICE FROM THE MINNEAPOLIS-ST. PAUL AIRPORT, LIMOUSINE CAN BE TAKEN TO THE SHERATON-RITZ HOTEL, WHICH IS ONE-HALF BLOCK FROM THE OFFICE.

END

HOLD

DLW

FBI LOS ANGELES

76-3541-304
2
[Redacted Box]

Transmit attached by Facsimile - PLAINTEXT

RE

To: *MINNEAPOLIS*

Date:

From: *LOS ANGELES*

Time:

Subject: *DENNIS JAMES BANKS
ETAL*☐ Fingerprint Photo☐ Fingerprint Record☐ Map☐ Newspaper☐ Artists Conception☐ Other _____☐ (6 min)☐ (4 min)

Special handling instructions:

Needed by 9:30 AM CDT 4/

Approved: _____

NR007 MP CODED

PM NITEL APRIL 3, 1974 AGL SENT 3:45 AM 4/4/74 RG
TO BUTTE CHICAGO LAS VEGAS LOS ANGELES
MILWAUKEE NEW YORK OMAHA SALT LAKE CITY
FROM MINNEAPOLIS 70-6832-SUB P (P) 1P

DENNIS JAMES BANKS; RUSSELL CHARLES MEANS; CIR - BURGLARY, ETC.
WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA.

ON MARCH 15, 1973, A MEMO FROM SAC DE BRULER CONTAINED
ASSIGNMENTS FOR THE BELOW LISTED AGENTS. THESE AGENTS WERE ASSIGNED
TO SQUAD FOUR SUPERVISED BY SA [REDACTED] AMONG THE DUTIES
WAS THE OPERATION OF A TITLE THREE.

b6
b7c

ON APRIL 3, 1974, AUSA RICHARD D. HURD ADVISED THAT IT WAS
NECESSARY FOR HIM TO KNOW (1) THE DATE THE AGENT ARRIVED AT WOUNDED
KNEE; (2) HIS ASSIGNMENT AT WOUNDED KNEE AS RECORDED IN THE FILES
OF THE OFFICE OF ASSIGNMENT RATHER THAN AN AGENT'S RECOLLECTION OF
HIS ASSIGNMENT THERE; AND (3) THE DEPARTURE DATE FROM WOUNDED KNEE.

THE AGENTS ARE [REDACTED] - BUTTE [REDACTED] - CHICAGO;

[REDACTED] - LAS VEGAS; [REDACTED] - LOS ANGELES;

[REDACTED] - MILWAUKEE; [REDACTED] - NEW YORK; CHARLES

[REDACTED] - OMAHA; [REDACTED] - SALT LAKE CITY.

ALL OFFICES ARE REQUESTED TO SUTEL BY 9:30 AM, CENTRAL
DAYLIGHT TIME, APRIL 4, 1974. SEND MEMORANDA RE ASSIGNMENT AT
WOUNDED KNEE VIA FACSIMILE

END.

JSL FBILA

HOLD

70-7253-305

SEARCHED	INDEXED
SERIALIZED	FILED
APR 4 1974	
FBI - LOS ANGELES	

Handwritten:
70-7253-10 sent 4/4/74
67-26806 sm 17-18
cc - March 73
elf Ruchter
JSL

F B I

Date: 4/3/74

056

Transmit the following in PLAIN
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)TO: DIRECTOR, FBI *LMG*
FROM: SAC, LOS ANGELES *70-7253*
*(157-8224)*ADMINISTRATIVE HANDLING OF INFORMANT FILES REGARDING
DENNIS JAMES BANKS; RUSSELL CHARLES MEANS. CIR - BURGLARY; ETC.

RE MINNEAPOLIS TELETYPE TO BUFFALO DATED 4/3/74.

LOS ANGELES WILL DISPATCH AN AGENT 4/4/74, TO
RETRIEVE LOS ANGELES FILES.

1-Minneapolis (AM)

EBM:mmw
(2)

70-7253-306

Approved: *WAS*
JK
Special Agent in ChargeSent *950* *P* M Per *SDH*

Date prepared

2/6/74

Date received

2/5/74

Received from (name or symbol number)

Rec

SA

Method of delivery (check appropriate blocks)

☒ in person

☐ by telephone

☐ by mail

☐ orally

☐ recording device

☒ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated
by Informant _____

Date of Report

1/22/74

Date(s) of activity



b6
b7C
b7D

Brief description of activity or material

AIM meeting
Los Angeles, California

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING
VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

☐ Information recorded on a card index by _____ on date _____

Remarks:

CC: 157-8224

Source advised to submit
reports more promptly

CC: 157-8224 (AIM)

157-8911

157-8915

100-3267

157-9745

157-9616

157-2229 8767

157-8850

[Redacted]

157-8893

157-8781

157-8340

157-8826

157-8659

157-8786

157-9541

157-9322

157-NEW

157-NEW

(ACLU)

157-9745

(JOE GESHICK)

(ARCHIE FIRE)

(WOUNDED KNEE)

70-7253-307

157-8659-

Block Stamp
SERIALIZED FILED
FBI - LOS ANGELES

[Redacted]

(17) 1277

Read by [Signature]

Date prepared

2/20/74

Date received

2/14/74

Received from (name or symbol number)

Received

SA

Method of delivery (check appropriate blocks)

☒ in person

☐ by telephone

☐ by mail

☒ orally

☐ recording device

☐ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated

2/18/74

Transcribed

2/20/74

Authenticated
by Informant

Date of Report

2/11/74

Date(s) of activity

Current

b6
b7C
b7D

Brief description of activity or material

Information Concerning AIM
members

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

☐ Information recorded on a card index by _____ on date _____

Remarks:

CC: 157-8224 (AIM)

CC: 157-8224 (AIM)

105-33229

157-8659

157-9964

157-7456

157-9570

157-9616

157-9571

157-8914

157-9745

157-8582

157-9573

157-8701

157-8525

157-8810

176-248

157-9944

157-NEW

(WOUNDED KNEE)

(DENNIS BANKS)

(VERNON BELLECOURT)

(CARTER CAMP)

(RUSSELL MEANS)

(STAN HOLDER)

(UNITED INDIAN WOMEN FOR
SOCIAL JUSTICE)

(JOHN TRUDELL)

Block Stamp

70-1553-308
157-8659
SEARCHED INDEXED
SERIALIZED FILED
FEB 20 1974
FBI - LOS ANGELES

kn

Read by

February 11, 1974
Los Angeles, California

[redacted] [redacted] stated there is to be a demonstration at the Federal Building, Spring and Temple Streets, Downtown Los Angeles, sponsored by the United Indian Women for Social Justice. She also received a call from the Wounded Knee Defense Committee inquiring about money for [redacted] [redacted]

b6
b7C
b7D

[redacted] [redacted] The money is supposedly to go to pay the American Indian Movement (AIM) telephone bill. [redacted] refused to pay any money which is to go to the Wounded Knee defense. [redacted] (LNU), from Wounded Knee Defense Office, who is a [redacted] spoke with [redacted] is planning to go to the rally in Oklahoma.

DENNIS BANKS, through the St. Paul Legal Office, is asking for [redacted] [redacted] AIM. He wants [redacted] [redacted] in Porcupine, South Dakota.

[redacted] is aligned with [redacted] as [redacted] [redacted] [redacted] from Red Wind Camp, wants [redacted] to visit him in the near future. [redacted] is allegedly wanted by the police at Cass Lake, Minnesota, and his mother is [redacted]

[] also stated that JOHN TRUDELL is being used by VERNON BELLECOURT and CARTER CAMP and building hate between himself and RUSSELL MEANS because CAMP allegedly took MEANS' woman away from him. [] [] RUSSELL MEANS and CARTER CAMP and none to Minneapolis. She told CAMP [] [] MEANS. .

b6
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b7D

[] went to court on \$3,000 bail and an informant said [] [] and his bail went up to \$50,000.

[] [] Indian people. She is working on [] [] and [] 46 Indian students in the Bellflower area. The local Indians in Los Angeles do not like being asked for money to support the Indians at Pine Ridge. They are also angry at AIM and Red Wind Camp for being rip offs and because there is no money for local kids. [] []

[] Indian ways. CARTER CAMP's mother lives in Paramount, California, and is remarried. His problems are kept out in the open by individuals from the outside to keep the people from rallying around him. CAMP has the support of Oklahoma and VERNON BELLECOURT is trying to dislodge him from there.

[redacted] will [redacted] but not
under AIM. She is [redacted] Social Security Number

[redacted]

CARTER CAMP has telephone number (405) 524-8676 in
Oklahoma. [redacted] [redacted] STAN

HOLDER in Oklahoma, address unknown.

[redacted] is upset because she does not
have the money to run back and forth like she wants to. She

[redacted] AIM when the elections
are allegedly supposed to be held on 2/27/74.

b6
b7C
b7D

Date prepared

3/25/74

Date received

3/22/74

Received by

SP

Method of delivery (check)

☒ in person

☐ by telephone

☐ by mail

☐ orally

☐ recording device

☐ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated
by Informant _____

Brief description of activity or material

Trial Newsletter - Wounded
Knee Legal Defense/Offense Committee
Bulletin #4

Date of Report

3/2/74

Date(s) of activity

Current

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

☐ Information recorded on a card index by _____ on date _____.

Remarks:

INDEX:

FATHER PATES

CHIEF FRANK FOOLS CROW

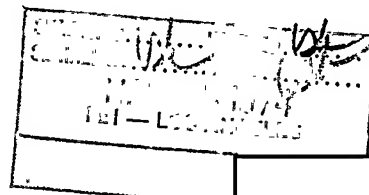
LITTLE SPOTTED HORSE

LORELEI De CORA MEANS

b6
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b7D

70-7253-309

Block Stamp



TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/BULLETIN #4

March 02, 1974

Last week we didn't publish our Trial Bulletin/Newsletter because court was in session only for two days.

The trial of Dennis Banks and Russell Means who are charged with conspiracy, burglary, assault among other charges, stemming from the liberation of Wounded Knee in 1973 was recessed until Feb. 21 at the request of Randolph Hearst to allow Dennis Banks to go to San Francisco as the American Indian Movement representative to lay the basis for negotiations between the Hearst family and the Symbionese Liberation Army for the return of Patricia Hearst, kidnapped by the SLA.

Following is a statement made by Dennis Banks, national executive director of AIM, on February 20 after he and Russell Means returned from California.

Mr. Banks said:

"On Feb. 4, 1974, this country became victims of the first political kidnapping in our history. This act, which the Symbionese Liberation Army, has taken full responsibility for, is an attempt to call attention to the desperate needs of the poor in California and elsewhere. Many organizations were listed to act as observers or coordinators during this most crucial time of negotiations. AIM was one of those organizations."

Dennis Banks' participation in the negotiations came following a policy statement issued by the American Indian Movement regarding the situation. That policy statement follows in its entirety.

The American Indian Movement is one of six groups named by the Symbionese Liberation Army to act as observers in the distribution to the poor of food to be furnished by the family of Patricia Hearst.

The American Indian Movement recognizes the proposal as a serious one and in response, is dispatching Mr. Dennis Banks, Nat'l Executive Director, to San Francisco to support its local representatives in formulating any necessary plans.

Mr. Banks, who with Mr. Means, is on trial in Federal Court in St. Paul, Mn., on charges relating to the liberation of Sounded Knee in 1973, will work with the representatives of the six organizations in endeavoring to meet any preconditioning for negotiating for the release of Miss Hearst.

With AIM having experienced the deaths of several of its members at Wounded Knee, it strongly desires to assist in preventing any further bloodshed, whether members of the SLA or Miss Hearst.

AIM fully understands the objectives of the SLA in unveiling the rampant racism in our society, in exposing the vast injustices in our nation, and in identifying the desperate needs of the poor.

AIM joins with SLA in calling for a massive demonstration of new concern for the poor but only wishes that a kidnapping had not been necessary to generate such a concern.

SLA has assured the safety of Miss Hearst and AIM respects that trust as SLA is temporarily using the life of Miss Hearst to graphically illustrate the daily suffering of hundreds of thousands of the poor, AIM desires to take only those steps which will further assure Miss Hearst's safety.

AIM appeals, however, to the SLA to negotiate directly with one or all of the representatives of the six organizations which SLA has designated, and Mr. Banks offers himself immediately to be of any possible assistance in facilitating the negotiations irrespective of any possible danger to himself.

The four point program which was worked out is as follows:

"Assuming there is a 'basis for negotiations' and, in order to provide a just and equitable conclusion to the SLA proposal, AIM sets forth the following plan for immediate implementation.

"1. That one representative from each of the organizations designated by SLA as observers and coordinators form a coalition to implement the SLA proposal.

"A. That this coalition will meet at least once a day for any and all emergencies that may arise.

"B. That this coalition appoint committees to address themselves to food, health, clothing, prison, welfare, housing, aged and disabled.

"2. That this coalition receive and implement the SLA proposal.

"A. That all good faith gestures be channeled to this coalition or its designate.

"B. That this coalition administer all distribution of food, clothing, and fulfill other conditions specified by the SLA.

"3. That this coalition be recognized by agents, officers, and other personnel who represent the U.S. government.

"A. That diplomatic immunity be granted to those participants of this coalition.

"B. That this coalition be protected from reprisals, either politically or otherwise, from those agencies, agents, officers, or others who represent law enforcement agencies of municipal, city, county, or federal governments.

"4. That this coalition be recognized by the Hearst family which will not, directly or indirectly, take any reprisal action whatsoever against those members or organizations participating in this coalition."

The four point program was accepted by the Hearst family.

TRIAL REPORT

When the trial resumed on Feb. 21, the prosecution introduces two undercover FBI agents who attempted to infiltrate AIM shortly before the liberation of Wounded Knee.

Agents Stanley R. Keel, alias Richard Round Tree, and Charles B. Stephenson, alias Charles Light Foot attended an open meeting at the Mother Butler Center, a Catholic community center in Rapid City, S.D. The reason why Keel and Stephenson were chosen by the FBI for that assignment is they are both part Indian. Keel described himself as "seven-sixteenth Chickasaw" and Stephenson as "one sixteenth Cherokee".

The purpose of the open meeting the pair attended in Rapid City was not, as they both testified, to plan violence on the reservation, but to await word from Pine Ridge on the impeachment of Tribal Council Chairman Richard Wilson. The meeting was attended by 300-500 people. Clyde Bellecourt, Dennis Banks, Russell Means, Ramon Roubideaux, and Father Pates, director of the Mother Butler Center, addressed the meeting.

The only information they collected on "planned violence" came from Red Blanket who has a 15 year history of alcoholism. The pair described Red Blanket as the person in charge of security.

During their testimony Keel and Stephenson have repeatedly contradicted each other. Both testified that they were interested in joining AIM. Keel says that while they were interviewed there were 4 or 5 people "surrounding them" in the room. Stephenson says there were 25 to 30 people.

Keel talked about daily oral reports made to their superior in Rapid City, while Stephenson testified they never did. Keel mentioned they had written notes from which the reports were dictated, Stephenson was positive in his testimony that they never had any written notes.

One of the most important contradictions is that the written report of their activities for Feb. 21 and Feb. 22 showed that they were dictated on Feb. 24, so Keel testified. Stephenson said that the report of Feb. 21 was dictated that same night and he named the place and secretary he and Keel dictated it to.

These men haven't been able to keep their facts straight. The repeated contradictions in their story makes the testimony extremely hard to believe at all.

On Thursday, Feb. 21, Judge Fred Nichol had laid the groundwork for upsetting a major section of the prosecution case against Dennis and Russell.

The Treaty of 1868 signed between the Sioux Nation and the U.S. government prohibits federal forces from coming onto the Pine Ridge Reservation without the express approval of the Sioux Nation.

The government has argued that they need no prior authority to enter the reservation despite the express provisions of the Treaty of 1868.

To support its case the government attempted to enter into evidence a petition from Tribal Chairman Richard Wilson requesting a court order from tribal Judge Theodore Tibbitts, and the order that Tibbitts issued requesting U.S. Marshalls to come on the Reservation.

Attorneys for the defense argued that both the petition and tribal order were illegal, as according to the tribal constitution and by-laws, only the tribal council can make such a request. In addition, it appears that the petition may be a fraud in that the clerk was forced to admit that it was not in the court file and she never saw it until after she received the government's subpoena in January of 1974. Then, for the first time, Judge Tibbitts gave her the petition supposedly signed by Dick Wilson on Feb. 9, 1973.

Judge Nichol ruled that government prosecutors could not introduce as "legitimate evidence" the petition of Richard Wilson and the order of Tibbitts. He cited the provisions of the tribal constitution authorizing only the tribal council to make such a request and described the petition and order as illegal.

The government's 7th and 8th witnesses were Bureau of Indian Affairs (BIA) police Wayne Romero and Virgil Randall who were on duty together the night of Feb. 27, 1973.

Attorneys for the defense have tried to bring out that both Romero and Randall were members of Dick Wilson's goon squad, but Judge Nichol repeatedly sustained objections by R.D. Hurd, assistant U.S. attorney, to questions that could have shown that Romero and Randall were in fact part of the goon squads established on the reservation to keep Wilson in power.

Romero, although he has been living on the reservation most of his life claims he knows nothing about Chief Frank Fools Crow, traditional religious leader on the reservation. He also claims to nothing about the sundance and has never heard of the sacred peace pipe.

When Randall took the stand at the end of the day wearing dark sunglasses, he was shown by Mark Lane, attorney for Dennis Banks, a roster of the goon squads which was obtained from the BIA police department. Randall confirmed he had seen it "floating around" in the police department about a year ago. Randall repeatedly denied any knowledge of the goon squads or vigilante groups and said he didn't know how his own name appeared on the roster. Continuing his cross examination Mark Lane asked Randall why he had been transferred from the Pine Ridge Reservation to Winnebago, Nebraska. "Were you," Lane asked, "transferred because you shot and killed little Spotted Horse, an Oglala, and because you shot your brother Wayne Randall in the leg, and because you struck a pregnant woman, Mary Burns Prairie, in the stomach with your billy club, causing her to miscarry?"

Prosecuting attorney R.D. Hurd jumped to his feet, speechless, while Judge Nichol was shouting "Mr. Lane! Mr. Lane!" The witness sat, undisturbed by the question.

Judge Nichol angrily admonished Lane, and ruled that because Lane had "abused his right of counsel" he could not continue the cross-examination. "I am sick and tired of your behavior," added the Judge. Following discussion, Nichol regained his composure and told Lane that could continue, provided he asked questions in another area. After the court session, Mark Lane said: "It was a perfectly proper question under cross-examination and I am sure the Judge will realize that."

The next morning a long debate took place outside the presence of the jury to determine whether or not Mark Lane could question the witness in an attempt to impeach him. In the middle of the discussion Judge Nichol said that an excellent suggestion had been made to the clerk of court that this trial would proceed faster if there were no reporters in the court room, thereby implying, as he had clearly stated at the beginning of the trial, that the defense attorneys were delaying the proceedings on purpose for the benefit of the news media.

Mark Lane was finally permitted to continue questioning the witness, at which time Randall denied knowing anything about Little Spotted Horse, his brother being shot or being involved in any violence. When the defense presents its case, witnesses will be brought to impeach Randall's testimony.

The prosecution then brought to the stand three witnesses to testify as to the location of government road blocks, A.I.M. bunkers and location of houses in Wounded Knee as shown on the government maps to be used as exhibits.

But the last witness, Jerry Brennan, who was brought to the stand to testify that the location of the houses on the maps was accurate, ended up saying that the proposed government exhibit had a number of "glaring inaccuracies"; the map showing houses in Wounded Knee was not received in evidence.

The 12th witness for the government was Merrill Sherer, another FBI agent who was brought to the stand to testify he had seen a caravan of cars entering Wounded Knee the night of Feb. 27, 1973. The cross-examination revealed that Sherer saw nothing illegal in that caravan of cars slowly moving from Calico Hall to Wounded Knee.

The next government witness was Gary Thomas, a former lawyer for the only legal aid office on the Pine Ridge Reservation.

Thomas testified that Pedro Bissonnette, Oglala Civil Rights Organization leader murdered by the BIA police, and Russell Means went to his office around 7:00 pm the night of Feb. 27, 1973. About 8:30 pm that same night Mr. Thomas went to Wounded Knee and saw Russell at the Catholic Church.

Under cross-examination, Mr. Thomas explained how he had lost his job as attorney for the only legal aid office on the Pine Ridge Reservation on Feb. 28, 1973. "Mr. Wilson," Thomas said, referring to Dick Wilson the tribal chairman, "I saw him on the 28th. He said I had 10 to 12 hours to leave the reservation or I would be killed." Thomas added that Wilson had pushed him and that his breath smelled booze. Mr. Thomas lodged complaints with the FBI right after the incident, but doesn't know that any action has been taken against Wilson.

Thomas also testified as to the climate of terror prevailing on the Pine Ridge Reservation on Feb. 1973. He related an incident that took place in the afternoon of the 27th where Russell Means had been assaulted by five men while sitting in Thomas' car parked near a grocery store in Pine Ridge. A complaint was filed shortly afterwards but Wilson got it dismissed.

Gary Thomas' testimony exposing some of the conditions on the reservation has helped the jury understand the origins of the Liberation of Wounded Knee.

The final witness for the government on stand this week was Father Paul Manhart, the Catholic missionary priest of the Sacred Heart Church of Wounded Knee.

Father Manhart testified he saw the long stream of headlights coming down the Big Foot Trail into Wounded Knee on the night of Feb. 27th. "It was striking", he added. Prosecuting attorney R.D. Hurd has not completed his direct examination of the missionary. The trial resumes Monday March 4th.

SUPPORT THE WOUNDED KNEE DEFENDANTS

On February 27, 1974, a rally was held at the University of Minnesota in Minneapolis commemorating the first anniversary of the Liberation of Wounded Knee. Approximately 1500 people gathered in the main ballroom of the Coffman Union at the University of Minnesota to show their support of the Wounded Knee Defendants. The featured speakers were the defendants Dennis Banks and Russell Means, and John Trudel of the American Indian Movement.

SUPPORT THE WOUNDED KNEE DEFENDANTS

While the trials continue in St. Paul and in Sioux Falls, it is of the utmost importance that the broadest support possible be shown.

FEBRUARY 27: ANNIVERSARY OF WOUNDED KNEE LIBERATION

On Feb. 26th, Judge Fred Nichol prohibited Russell Means and Dennis Banks from attending ceremonies at Wounded Knee to commemorate the first anniversary of the Liberation and to pay homage to the warriors who died at Wounded Knee.

Over 300 people, the usual population of Wounded Knee during the liberation, ringed Buddy Lamont's grave/the mass-grave site at Wounded Knee for a prayer service conducted by Oscar Bear Runner who is a long time activist on the reservation and himself a defendant.

Chief Frank Fools Crow led the people in prayer followed by drum singing by the Porcupine singers and a speech by Ted Means. Ted reminded the gathering of the sacrifice that Buddy, Frank Clearwater and later Pedro Bissonette made to save their lives and traditions and urged Indian people to carry on that fight. There was a feast held afterwards at the Porcupine Community hall.

A caravan of 12 cars from Rapid City proceeded without incident to Wounded Knee although under heavy surveillance at check points. Earlier Wilson had said the only gathering at Wounded Knee would be a goon squad but he backed down at the last minute and allowed the ceremony to take place.

SIoux FALLS TRIAL REPORT

In Sioux Falls defendants Madonna Gilbert, Lorelei DeCora Means and Tonia Ackerman waived their right to be present at the ongoing suppression hearing and joined other Wounded Knee defendants and supporters in the caravan from Sioux Falls to Wounded Knee.

After granting the defense suppression motion on Marianne DeCora and Vaughn Dix Baker, Judge Warren Urbom refused a summary judgement in the case of Madonna, Lorelei, and Tonia who were stopped at the same road block at the same time. Suppression hearing continues building from earlier testimony. The continuing hearing is expected to go into the first couple days this week. If the defense loses the motion, a bench trial will begin thereafter before Judge Urbom.

SUPPORT THE WOUNDED KNEE AND RELATED DEFENDANTS ON TRIAL IN SIOUX FALLS
DEFEND THE RIGHTS OF ALL INDIAN PEOPLE

IF YOU WOULD LIKE TO RECEIVE THE COMMITTEE NEWSLETTER FROM SIOUX FALLS
 PLEASE RETURN THIS COUPON TO:

WKLD/OC P.O. Box 255
 Sioux Falls, South Dakota 57101

Please send me your Committee Newsletter:

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____

ENCLOSED IS A CONTRIBUTION _____

The following resolution is a proposed draft that we ask you to bring before your organization. Copies of any resolutions that your organization does pass should be sent to:

Atty Gen. Saxbee
Dept. of Justice
Washington, D.C.

Chief U.S. Dist.
Judge Fred Nichol
Fed. Court Bldg.
St. Paul, Mn. 55101

William Clayton
U.S. District Atty
Fed. Court Bldg.
St. Paul, Mn. 55101

Please send a copy to the Wounded Knee Legal Defense/Offense Committee at 333 Sibley, Rm. 605, St. Paul, Mn. 55101, also.

WHEREAS, Native Americans have been mistreated and robbed of their lands by the US Government, real estate speculators, corporations such as railroads and mining combines, as well as giant utilities companies, and

WHEREAS, Native Americans signed 371 treaties in good faith with the U.S. Government which has continually violated those treaties and its obligations to Native Americans, resulting in the severest poverty, highest infant mortality and suicide rates in the population and extreme economic hardships including wage earnings far below minimum rate, often less than a dollar an hour, and

WHEREAS, The Supreme Court of the United States of America has ruled that treaties entered into by the U.S. Government and approved by Congress carry the same force of law that the Constitution does, so that violations of treaties signed with Indian Nations demonstrates a lack of respect for the highest laws of this land,

THEREFORE BE IT RESOLVED that we fully support the struggles of Indian peoples for a full redress of their just grievances; for self-determination and justice by supporting the three demands of the American Indian Movement, the Oglala Sioux Nation and the people on trial in St. Paul and Sioux Falls for their participation in the liberation of Wounded Knee Feb. 27-May 6, 1973, specifically:

1. Congress should establish a Treaty Commission to examine the 371 treaties signed with Indian peoples.
2. That the Indian Reorganization Act of 1934 be re-examined or repealed because the IRA places Indian self-government under the direct and total control of the Bureau of Indian Affairs and because the IRA has imposed non-Indian systems of government on Indian peoples, which systems have become corrupted in the process.
3. Remove the BIA from the Dept. of the Interior and set it up as an independent agency to end the conflict between the corporate interests the Department represents and the management of Indian lands.

THEREFORE, BE IT FURTHER RESOLVED that all charges be dropped against the 129 people the government is attempting to prosecute for their stand in defense of their civil rights.

Date prepared

3/25/74

Date received

3/22/74

Received

SA

Method of delivery (check appropriate blocks)

☒ in person

☐ by telephone

☐ by mail

☐ orally

☐ recording device

☐ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated
by Informant _____

Date of Report

3/10/74

Date(s) of activity

Current

b6
b7C
b7D

Brief description of activity or material

Trial Newsletter - Wounded Knee
Legal Defense/Offense Committee
Bulletin #5

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

☐ Information recorded on a card index by _____ on date _____

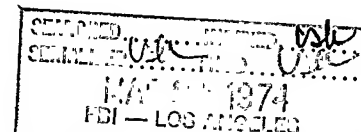
Remarks:

INDEX



70-7253-310

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TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/ BULLETIN #5

March 10, 1974

TRIAL REPORT

The trial of Dennis Banks and Russell Means charged with conspiracy, burglary, assault, and other charges stemming from the liberation of Wounded Knee has produced some interesting developments this week.

Along with Father Manhart, catholic missionary of Wounded Knee and 14th witness for the prosecution, four unexpected witnesses took the stand and, for the first time in history, the FBI files on Wounded Knee were ordered impounded by Judge Nichol.

All these new developments were spurred by part of Father Manhart's testimony relative to a resolution signed by the residents of the District of Wounded Knee.

Under direct examination by R.D. Hurd, prosecution attorney, Father Manhart testified that he had been forced out of his church and sent to the residence of Mr. Gildersleeve where all the so-called "hostages" were told by Dennis Banks that they should not consider themselves as hostages, but more like prisoners of war: and more important, that they were free to go if they wanted to.

Manhart testified also as to his observations and activities in the 8 or 9 days following February 27, 1973. He observed trenches, visited members of his parish, observed a gunfire incident while moving his car, attended a community meeting at which an invitation to AIM members to enter the community was issued, saw Means and Banks talk to reporters, arranged for a meeting of the Wounded Knee people with the Tribal Council, and saw a fire at the trading post.

Under cross-examination by William Kunstler, Manhart would not characterize any of his activities as missionary work. He has been a pastor of the Wounded Knee catholic mission for over 20 years! He knew the significance of the Sun Dance, drums, pow-wow, but when asked about the Sweat Lodge he asserted that it was used for religious and bathing purposes, refusing to say that bathing would be a sacrilege.

When Manhart was questioned on the resolution signed by the residents of Wounded Knee, he testified that some of the signatures were forgeries. The resolution reads as follows: (We are including the resolution in its entirety):

WE THE UNDERSIGNED RESIDENTS OF WOUNDED KNEE, SOUTH DAKOTA,
HEREBY MAKE THE FOLLOWING RESOLUTION:

WHEREAS, the United States Department of Justice has the District of Wounded Knee, South Dakota surrounded by the agents of the Federal Bureau of Investigation and United States Marshalls, and

WHEREAS, we the undersigned residents of Wounded Knee, South Dakota are presently engaged in peaceful and meaningful discussions concerning the events that have transired here during the last few days and in particular, the question of there being any necessity for the United States Government, through the United States Dept. of Justice remaining in Wounded Knee any longer, it is therefore,

RESOLVED that the U.S. Dept. of Justice and their agents and servants cease and desist from firing upon our guest members of the American Indian Movement and members of the news media who are here at our invitation and that no persons who are present here now or who may come in the future be harrassed or intimidated when they are here at our invitation. That as these discussions continue, we will advise the representatives

of the United States of our progress as to whether we feel that there is any need for the United States Dept. of Justice to remain and it is further RESOLVED, that prejudice does now exist in the manner in which the United States Dept. of Justice is dealing with the events here and that prejudice is directed against the Indian citizens and their Indian guests who are here, in that amongst other things, the white citizens are being permitted to go and come at will, but the Indian citizens are not permitted the same freedom. We therefor demand that the United States Government immediately permit the Indian citizens and their guests to go and come at will.

Dated: March 3, 1973

During Manhart's examination it developed that the copy of the petition furnished by the FBI under the discovery order to produce documents related to the case was not a copy of the original, but a copy of a copy on which handwritten notes had been added by FBI agents and BIA policemen. The apparent alteration of the documents engendered much of Manhart's confusion in thinking that some of the signatures were forgeries.

The defense strongly objected to this and demanded that the original be produced. Hurd said that he did not know where the original was but was going to ask the FBI to investigate the matter.

At this point Judge Nichol became quite irritated and said: "I used to think the FBI was one of the greatest bureaus that ever came down the pipe. But I think it has deteriorated, and I don't care how many FBI agents are in the court room listening to me, I think it has deteriorated." He then ordered that the FBI files pertaining to the Wounded Knee cases, "shall be kept intact in toto and not removed, altered, destroyed or otherwise disturbed from their present location and condition until further order from this court."

The original petition was finally "discovered" in the FBI files where it had been since March 3 of last year and brought to court along with four FBI agents who came to give some explanation on their "doctoring" of a piece of evidence. Judge Nichol considered all this a very serious matter. "It seemed to me," he said, "it was a holding back of information that should have been produced earlier and when it was produced it was not all produced." Sending a photocopy instead of the original "looked to me as if it was almost deliberate," Nichol said.

On March 8th, court revealed that the FBI had contacted Nichol regarding his order and U.S. attorney advised that the FBI files contained 315,981 serials in 5239 volumes each serial at least one page long but often much longer. This revelation came on the heels of the disclosure in Washington D.C. that the FBI had engaged in a course of deliberate harassment and agent provocateur activity against the Black Panthers and other organizations. The activities described against the Panthers parallel closely the kind of activities that the government has engaged in against the American Indian Movement. It is hard to believe that any organization could gather 315,981 items against any organization in a period of approximately one year, yet that is what the government claims. The next fight will be to force the disclosure of this material which because of its volume presents unbelievable problems.

The last two witnesses to take the stand this week were Rev. and Mrs. Lansberry, pastor and missionary of the Church of God in Wounded Knee. Rev. Lansberry testified he had heard some noise on the night of Feb. 27, 1973; that he had seen shadows of people carrying what he thought to be possible rifles. The 68 year old reverend cannot be considered an "eye witness". He left Wounded Knee the same night and returned on May 9th.

Mrs. Lansberry described for the court the three bedroom home they lived in in Wounded Knee which included among other things a portable organ, a hi-fi, an electric sewing machine, three electric typewriters, a washer and dryer. On the Pine Ridge reservation, where Wounded Knee is located, most Indian people don't have water or electricity in their homes!

JURY TAMPERING:

On Wed. March 6, it was brought to the court's attention that approximately 8 of the jurors had received in the mail an anonymous brown paper envelope containing a pamphlet published by the John Birch Society called "Renegades, the Second Battle of Wounded Knee" and Pope Pius XI encyclical on "Atheism and Communism". The judge ordered an investigation and complimented the jury for bringing the matter to his attention. The FBI has apparently arrested a man from Albany, N.Y. where the material was mailed from.

REPORTER HARRASSING:

On Friday morning an incident took place in the court room involving the editor of this newsletter, who has since the beginning of these trial proceedings been sitting in the press section of the court room in order to receive clear information. Although she is not an "accredited member of the press" she is doing press work and was welcomed by the reporters sitting there. Then for some reason the U.S. Marshalls decided that as she did not have a press card she should be in the press box and removed her from there saying the reporters had been complaining.

Mark Lane, attorney for the defense immediately drew up a petition stating that "accredited members of the press" did not have any objection to the defense Newsletter editor sitting with them. All reporters signed the petition which was then brought to Judge Nichol. Nichol remarked that the reporters signed the petition because the Newsletter editor was pretty and they liked to sit with her.

The staff of the Wounded Knee Legal Defense/Offense Committee Newsletter sees this incident as part of the continued harrasement of the defense team by the government.

SIoux FALLS TRIAL REPORT

The direction of the Wounded Knee trials in Sioux Falls shifted this week on an agreement by Warren K. Urbom that he would be the "Wounded Knee Judge." This came after the defense team suggested to Urbom that the Eighth Circuit court of Appeals' decision to have simultaneous trials in two or more locations hundreds of miles apart would make it impossible for the defendants to receive even the hope for a possibly fair trial. Defense also pointed out that procedure suggested for multiple trials would mean three years before the last cases were completed. Judge Urbom was told by the Defense team that trial time could be shortened to approximately one year if he agreed to handle the cases. This prediction is based on the belief of many that a number of cases taking weeks before juries because of legal questions could take only days in a court trial before a Judge, called bench trials.

Urbom's assignment means another move by at least part of WKLD/OC this time to Lincoln, Nebraska where Urbom regularly resides as Chief Judge of the Federal District Court. This move is scheduled to take place the first week of May after completion of the case currently on trial in Sioux Falls.

Oral arguments are being heard the week of March 10 on defense motion to suppress evidence against Madonita Gilbert, Lorelei DeCora Means, and Tonja Ackerman who were charged with Burglary and larceny on Feb. 27, 1973. If the motion is lost we will proceed with a bench trial on March 27; otherwise the defense will prepare another case of its choice for trial on that date.

For the next two weeks government and defense attorneys will confer to evaluate 120 cases the government has thought to prosecute with the goal of paring down the number to a reasonable case load.

The Committee is currently embroiled in legal battles in state court over the 19 cases arising from the Feb. 6, 1973 incident at Custer, South Dakota. The cases had been ordered consolidated under Judge Bottum, circuit judge in Rapid City; trials to begin April 15. All the cases, however, have not been included and despite appeal to the state supreme court, we are forced to argue pretrial motions on March 12 before Judge Fosheim from Huron. The pretrial motions will be held in Pierre. An attempt will be made to remove Fosheim on writ of prohibition alleging his prejudice toward the cases. Fosheim presided over the first bond reduction hearings in Sept. where he upheld many exorbitantly high bonds set against the Custer defendants.

On March 12, defendants will move to set aside the indictments on the grounds that they have been deprived of due process rights to challenge prejudice of the grand jury in Custer County which prosecution admits can not give the defendants a fair trial.

NATIVE AMERICAN DINNER COMPLETES SUCCESS OF WOMEN'S VIGIL:

When a group of 30 women from the Twin Cities gathered on Feb. 27th to organize a women's support group for Wounded Knee, it was agreed that more public attention was needed for the 84 women facing Federal, state and tribal charges stemming from the Liberation of Wounded Knee.

Representing organizations such as the Twin Cities NOW, St. Paul NOW, the YMCA of both cities, Women's Equity Action League, Minnesota Feminists, WIL, Women's Union and Association of Universalist Women, the group also included women who have experience in political organizations.

As a first effort, the coalition decided to sponsor a vigil at the St. Paul Federal Court building in support of the women defendants, March first. Fifty people participated in an hour-long prayer service led by Mrs. Elizabeth Deere, a Roseville resident. The Indian Youth drum, the circle of participants and various press people heard Mrs. Deere and Faith Traversie, mother of Madonna Gilbert offer prayer for the defendants, for the end of political repression and for restoration of the rights of Indian people. Flowers were handed to Madonna Gilbert and expressions of personal support were quietly addressed to her in the name of all present.

A dinner followed in the cafeteria of the St. Paul YMCA where over four hundred friends and supporters were served a meal of turkey, fish and wild rice.

Films, a short presentation by guests from the Native American Ensemble, and speeches by Madonna Gilbert and Pine Ridge resident Gladys Bissonette, made the evening full; a scene of deep involvement, a communing with the good spirits who hovered over all and within everybody.

VISITING WINNEBAGOS

Eight students from a Native Awareness class in the Public School, Winnebago Reservation, Winnebago, Nebraska were in St. Paul this past week to observe the trial of Dennis and Russell. The students came with video equipment, cameras and tape recorders to gather information to bring back to their community. Upon returning home the class plans to make presentations to the school, the tribal council and the community along with a student panel which will discuss the trial, events leading up to the trials and the effects on all Indian people.

INTERNATIONAL DINNER

Another expression of international support for the Wounded Knee defendants was shown on Saturday March 9 when the Third World Coalition at the U of M in Minneapolis sponsored an International dinner benefit for the defense. A capacity crowd had a meal of Brazilian, Chinese and Greek food and listened to Clyde Bellecourt, Tonia Ackerman, and Mark Lane. This was another show of world wide solidarity with the struggles of Native Americans. Both the Sioux Falls and St. Paul WKLD/OC as well as St. Paul AIM have been receiving hundreds of letters and petitions of support from people all over the world stating that they fully support the just demands of Indian people for their rights to self-determination.

SHOW YOUR SUPPORT FOR THE DEFENDANTS AND ALL INDIAN PEOPLE

CONTACT SIOUX FALLS OR ST. PAUL WKLD/OC FOR THINGS TO DO

IF YOU WOULD LIKE TO RECEIVE THE COMMITTEE NEWSLETTER FROM SIOUX FALLS
PLEASE RETURN THIS COUPON TO: WKLD/OC Box 255
Sioux Falls, South Dakota 57101

Please send me your committee Newsletter:

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____

ENCLOSED IS A CONTRIBUTION _____

Date prepared

3/20/74

Date received

3/22/74

Receive

SA

Method of delivery (check appropriate boxes)

☒ in person

☐ by telephone

☐ by mail

☐ orally

☐ recording device

☐ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Date of Report

2/16/74

Date(s) of activity

Current

b6

b7C

b7D

Dictated _____ to _____

Transcribed _____

Authenticated
by Informant _____

Brief description of activity or material

*Trial Newsletter - Wounded Knee
Legal Defense / Offense Committee
Bulletin # 5*

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

☐ Information recorded on a card index by _____ on date _____.

Remarks:

~~FRANK~~

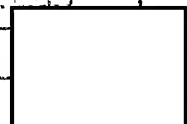
~~CHIEF FRANK FOOTE CROW~~



70-7253-311

Block Stamp

SEARCHED *wh* INDEXED *wh*
SERIALIZED *wh* FILED *wh*
MAR 22 1974
FBI - LOS ANGELES



F B I

Date: 4/6/74

~~PLAINTEXT~~

Code

Transmit the following in _____
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: SAC, MINNEAPOLIS (70-6832) *scw*
 FROM: SAC LOS ANGELES (70-7253) *(AUC)*

WOUNDED KNEE, OO: MINNEAPOLIS.

RE MINNEAPOLIS TELCAL TO LOS ANGELES APRIL 6, 1974, AND
 LOS ANGELES TELCAL TO MINNEAPOLIS APRIL 6, 1974.

A REVIEW OF LOS ANGELES TELETYPE TO MINNEAPOLIS AND
 THE DIRECTOR DATED MARCH 14, 1973, CAPTIONED AS ABOVE,
 REVEALS THAT THE INFORMATION CONTAINED IN THIS TELETYPE
 MIGHT REVEAL TRUE IDENTITY OF SOURCE OF INFORMATION IDENTIFIED
 IN THE TELETYPE AS [REDACTED] IT IS NOTED THAT [REDACTED]
 [REDACTED] IS CURRENTLY IN A PENDING STATUS BUT WILL
 BE CLOSED IN THE NEAR FUTURE.

IT DOES NOT APPEAR THAT INFORMATION CONTAINED IN THE
 TELETYPE, IF REVEALED AS DISCUSSED IN MINNEAPOLIS TELEPHONE
 CALL, WOULD JEOPARDIZE ANY CURRENT INVESTIGATIONS. THE
 INVESTIGATION REGARDING THE ORGANIZATION KNOWN AS AMMO IS
 CLOSED.

MMW/dmg
 (1)

70-7253-312
 SEARCHED
 INDEXED
 SERIALIZED
 FILED

Approved: [REDACTED]

Special Agent in Charge

Sent

5:24 P

M

Per

[REDACTED]

LA 70-7253

PAGE TWO

MINNEAPOLIS IS REQUESTED TO ADVISE LOS ANGELES DIVISION
REGARDING DISPOSITION OF INFORMATION SET FORTH IN LOS ANGELES
TELETYPE DATED MARCH 14, 1973.

FD-440 (Rev. 10-16-70)

Transmit attached by Facsimile - PLANTEXT

Priority

To: SAC, LOS ANGELES

Date: 4/7/74

From: SAC, MINNEAPOLIS (70-6832)

Time: Transmitted - 11:50

Subject: WOUNDED KNEE OO: MINNEAPOLIS

Initials - JAW

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph
☐ Artists Conception ☐ Other

Special handling instructions:

ENCLOSURE TO NITEL NR002 DATED 4/7/74

70-7253-313

SEARCHED	INDEXED
SERIALIZED	FILED
APR 10 1974	
FBI - LOS ANGELES	

Approved: JAT/BJP

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 15 1978

TELETYPE

NR 231 LA CODE

553 PM URGENT 3/14/78 RWN

TO ACTING DIRECTOR

MINNEAPOLIS

FROM LOS ANGELES (79-7235) 2P.

OFFICE OF THE DIRECTOR

WOUNDED KNEE OO: MINNEAPOLIS

SOURCE WHO WAS PROVIDED RELIABLE INFO IN PAST ADVISED EVENING MARCH 13, LAST AS FOLLOWS: SEVERAL INDIANS FROM WOUNDED KNEE ARRIVED RECENTLY IN LOS ANGELES TO PURCHASE GUNS, AMMUNITION AND EXPLOSIVES. INDIANS MADE CONTACT WITH LOCAL INDIAN GROUP KNOWN AS RED WIND. RED WIND GROUP ESTABLISHED SEVERAL YEARS AGO TO REHABILITATE INDIAN ALCOHOLICS AND PRESENTLY OCCUPY, WITH PERMISSION, SEVERAL BUILDINGS OWNED BY A LOCAL RELIGIOUS CULT IN BOX CANYON, SIMI VALLEY, CALIFORNIA. RED WIND GROUP FURNISHED MONEY BY WOUNDED KNEE INDIANS TO PURCHASE NEEDED GUNS AND AMMUNITION. RED WIND GROUP THEN CONTACTED ASIAN ORGANIZATION KNOWN AS ASIAN MOVEMENT FOR MILITARY OUTREACH (ANMO), FOR HELP IN PURCHASING AMMUNITION AND GUNS.

ANMO WAS ORGANIZED SUMMER OF 1971 IN LOS ANGELES BY INDIVIDUALS OF JAPANESE EXTRACTION. OBJECTIVES OF ANMO ARE TO SUPPORT ALL ANTI-VIETNAM WAR DEMONSTRATIONS, PROVIDE DRAFT COUNSELING, AND PRESENT ANTI-WAR PROGRAMS TO JAPANESE-AMERICAN COMMUNITY. ANMO ESPOUSES CHINESE COMMUNIST PHILOSOPHY OF MAO-TSE-TUNG.

END PAGE ONE

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Mr. Holmes	_____
Miss Gandy	_____

John

[REDACTED]
[REDACTED]
[REDACTED] APPROXIMATELY 3000 ROUNDS OF ASSORTED
AMMO PURCHASED INCLUDING 30-06, .45, AND .22 LONG RIFLE. [REDACTED]
[REDACTED]

AMMO MEMBERS THEN MET AND TRANSPORTED AMMUNITION TO INDIANS OF
RED WIND AT BOX CANYON ADDRESS. NO WEAPONS OR EXPLOSIVES PURCHASED.
AMMUNITION ALLEGEDLY TO BE FLOWN BY LIGHT PLANE TO WOUNDED KNEE AND
DROPPED TO INDIANS THERE. PLANE TO LEAVE LOS ANGELES WITHIN NEXT
DAY OR SO. AMMO GROUP ALSO ASKED TO DONATE PERSONAL WEAPONS AND ANY
AMMUNITION ON HAND.

NR002 MP CODED

6:49PM NITEL APRIL 7, 1974 DCW

TO LOS ANGELES (70-7253)

FROM MINNEAPOLIS (70-6832-SUB P) (P) 1P

WOUNDED KNEE. OO: MINNEAPOLIS.

RE MINNEAPOLIS TELCALL TO LOS ANGELES, APRIL 6, 1974;
LOS ANGELES TELCALL, APRIL 6, 1974; AND MINNEAPOLIS TEL TO
THE BUREAU, APRIL 6, 1974.

INFORMATION AS PROVIDED TO THE MINNEAPOLIS DIVISION BY
THE BUREAU WHICH WAS FURNISHED FROM THE DEPARTMENT OF JUSTICE
REVEALED THAT LOS ANGELES TEL DATED MARCH 14, 1973, HAD BEEN
FURNISHED TO THE DEPARTMENT INTOTO AND IDENTIFIED THE SOURCE
AS

b7D

THIS TEL WAS FURNISHED TO THE UNITED STATES ATTORNEY. THE
SOURCES IDENTITY WAS EXCISED PRIOR TO FURNISHING TELETYPE TO
THE JUDGE, THE DEFENSE ATTORNEYS. THE INFORMATION AS REQUESTED
IN TELCALL RELATING TO INVESTIGATION CONDUCTED BY THE LOS ANGELES
POLICE DEPARTMENT WAS ALSO EXCISED FROM THE TELETYPE. A COPY
OF THE EXCISED TEL IS BEING FURNISHED TO LOS ANGELES BY
FACSIMILE FOR INFO.

END

VLB

FBI LOS ANG TU AND CLR

tel info

70-7253-314

SEARCHED	INDEXED
SERIALIZED	FILED
16	
FBI - LOS ANGELES	

[Signature]

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (70-7253)

DATE: 4/6/74

FROM : SA [REDACTED]

SUBJECT: WOUNDED KNEE

SAC ELMER F. LINDBERG advised that he had received today a telephone call from the ASAC, Minneapolis Division. The ASAC advised that the United States District Court Judge handling the Wounded Knee trial wanted to review Los Angeles teletype to Minneapolis and the Director dated 3/14/73, captioned as above. This review was to be conducted in Canton.

b6
b7C
b7D

The ASAC requested to be advised if the information contained in the teletype, both in the text and administrative section would tend to identify the source of the information, [REDACTED] or whether this information might jeopardize a current investigation.

A review of the teletype and [REDACTED] file for [REDACTED] which is assigned to SA [REDACTED] was conducted. This review was discussed with Supervisors [REDACTED] and [REDACTED]. Based upon this discussion, the Minneapolis Division was advised that the information set forth in the teletype might reveal the identity of [REDACTED] but this source was to be closed in the near future. They were advised that this source would not be willing to testify. The Minneapolis Division was also advised that this information would not jeopardize any current investigation.

A teletype setting forth this information was sent.

MMW/dmg
(1)



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

NR011 MP CODED

PM NITEL APRIL 11, 1974 AGL SENT 7:28 AM 4/12/74 RG
TO DIRECTOR, FBI

ATTN: JOHN C. GORDON, CRIMINAL DIVISION,
GENERAL CRIMES UNIT

LOS ANGELES

FROM MINNEAPOLIS 70-6882 2P (P)

DENNIS JAMES BANKS; RUSSELL CHARLES MEANS, CIR - BURGLARY,
ETC., (WOUNDED KNEE);
WOUNDED KNEE LEADERSHIP TRIALS, USDC, ST. PAUL, MINNESOTA.

b6
b7c

AT THE CONCLUSION OF TESTIMONY FOR THE DAY, DEFENSE ATTORNEYS
FOR MEANS AND BANKS SUBMITTED AN ORAL MOTION REQUESTING FULL IDENTITY
OF INFORMANTS AND SOURCES OF INFORMATION CONTAINED IN LA TELETYPE
TO ACTING DIRECTOR, DATED MARCH 14, 1973, AND NOTE PAPER ENTITLED
GENERAL INVESTIGATIVE DIVISION, MARCH 16, 1973, CONTAINING NAME OF
SOURCE COMMENCING, "THIS CONCERNS WOUNDED KNEE (WK)". THESE DOCUMENTS
FURNISHED TO MP DIVISION BY FBI HEADQUARTERS, SATURDAY, APRIL 6, 1974,
BY TELECOPIER. DEFENSE ATTORNEYS, DURING AFTERNOON RECESS,
DISCUSSED THIS MATTER WITH JUDGE FRED J. NICHOL, WHO LATER SAID IN OPEN
COURT THAT HE COULD SEE NO REASON WHY THE FBI WOULD WITHHOLD THE
IDENTITY OF THESE INDIVIDUALS. HE STATED HE WAS VERY CONCERNING THAT
THESE INDIVIDUALS MIGHT HAVE PIERCED THE ATTORNEY-CLIENT VEIL.
END PAGE ONE

70-7253-316

SEARCHED	INDEXED
SERIALIZED	FILED
2 APR 12 1974	
FBI - LOS ANGELES	

88

PAGE TWO

MP 70-6882

AUSA RICHARD D. HURD AND DEPARTMENTAL TRIAL ATTORNEY [REDACTED] ATTEMPTED TO EXPLAIN TO THE COURT THAT THESE COMMUNICATIONS, AND ALSO THE NAMES OF INFORMANTS AND SOURCES CONTAINED THEREIN WERE IRRELEVANT AND IMMATERIAL TO THE HEARING. JUDGE NICHOL STRONGLY DISAGREED. AUSA HURD LATER OFFICIALLY REQUESTED OF THE MP FBI THE NAME OF LA SOURCE, [REDACTED] TO MAKE IT POSSIBLE FOR HIM TO CHECK THE NAME AGAINST A LIST OF WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE ATTORNEYS, AND LEGAL WORKERS.

b6
b7C
b7D

THE MINNEAPOLIS DIVISION RECOMMENDS THAT HURD'S REQUEST NOT BE COMPLIED WITH, ALTHOUGH THIS ACTION MAY CAUSE DISMISSAL OF THE CASE. IT SHOULD BE NOTED THAT HURD MADE THE COMMENT THAT HE HOPES THE JUDGE WILL ASK FOR THE PERTINENT NAMES AT WHICH TIME HE WILL DENY THE COURT'S REQUEST AND THE CASE CAN BE DISMISSED. HE STATED THIS IS THE FOURTH TIME THAT THE JUDGE HAS LOST HIS PERSPECTIVE AND THAT IT IS ALMOST HOPELESS TO CONTINUE THIS CASE UNDER THESE CIRCUMSTANCES.

LA FURNISH INFO TO FBIHQ AND MP RE CURRENT STATUS OF [REDACTED]

[REDACTED] INCLUDING WHETHER HE IS STILL BEING OPERATED AS INFORMANT.

END.

RJM

FBI LOS ANGELES CLR

NR018 WA PLAIN

1112AM IMMEDIATE 4-12-74 DKS

TO LOS ANGELES

MINNEAPOLIS

FROM DIRECTOR 2P

PERSONAL ATTENTION

DENNIS JAMES BANKS; RUSSELL CHARLES MEANS, CIR - BURGLARY,
ETC., (WOUNDED KNEE); WOUNDED KNEE LEADERSHIP TRIALS, USDC,
ST. PAUL, MINNESOTA.

REMPNITEL 11:41 P.M., APRIL 11, 1974.

REMPNITEL SETS OUT LEAD FOR LOS ANGELES TO FURNISH
INFORMATION TO FBIHQ AND MINNEAPOLIS THE CURRENT STATUS OF
[REDACTED], INCLUDING WHETHER HE IS STILL BEING OPERATED AS AN
INFORMANT.

LOS ANGELES SHOULD ASSIGN SUFFICIENT MANPOWER TO
IMMEDIATELY LOCATE [REDACTED] SO THAT HIS CONTACTING AGENTS
CAN INTERVIEW HIM TO DETERMINE WHETHER HE WOULD BE AGREEABLE
TO HAVING HIS NAME MADE AVAILABLE OUTSIDE THE FBI TO AUSA HURD
END PAGE ONE

9 20 4/12/74
Minneapolis advised by teletype
LA to discontinue
[REDACTED]

70-7253-317

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
16	
FBI - LOS ANGELES	

b6
b7C
b7D

PAGE TWO

ONLY ON A CONFIDENTIAL AND NECESSARY BASIS IN CONNECTION WITH
THE PROSECUTION OF THIS CASE.

INFORMATION CONTAINED IN REMPNITEL THAT THE NAME IS
NEEDED BY AUSA HURD TO CHECK AGAINST THE LIST OF THE
WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE AND LEGAL
WORKERS IS TO BE FURNISHED TO THE INFORMANT.

SUTEL.

END

SMA FBI LA TU CLR

UNITED STATES GOVERNMENT

Memorandum

TO : SAC (66-3541)

DATE: 3/23/74

FROM : SUP. ERNEST R. STRAWMAN

SUBJECT: ADMINISTRATIVE HANDLING OF INFORMANT
FILES FROM OTHER FBI OFFICES RE
DENNIS JAMES LANKS
RUSSELL CHARLES MEANS
CIR-LURGLARY etc.

FOLLOWING INFORMATION SHOULD BE OBTAINED FROM OUT OF
DIVISION AGENTS DELIVERING INFORMANT FILES TO MPLS. PER
ABOVE CASE. THIS FORM SHOULD BE FILLED OUT IN TRIPLICATE
WITH ONE COPY BEING GIVEN TO THE DELIVERING AGENT.

b6
b7C
b7D

NAME OF OFFICE DELIVERING FILE- *Los Angeles*

DATE OF DELIVERY & TIME OF DELIVERY *1:50 PM - 3/26/74*

NAME OF DELIVERING PERSONNEL

RECEIVING EMPLOYEE

FILE NUMBER OR NUMBERS DELIVERED, NUMBER OR NUMBERS OF VOLUMES
AND PAGES AND PAGE SERIALS FOR EACH VOLUME OR VOLUMES

ANY MISSING SERIALS (IF SO, LIST)

BE SURE A LIST OF THE PERTINENT SERIALS CONTAINING THE INFORA
TION REQUESTED HAS BEEN PLACED BY THE SENDING OFFICE ON TOP
OF EACH VOLUME.

WHEN SUP STRAWMAN IS IN OFFICE, THE DELIVERING PERSONNEL SHOULD
BE BROUGHT TO HIM. IN HIS ABSENCE THE DUTY AGENT SHOULD BE SURE
THIS FORM IS COMPLETED. PUT ONE COPY ON DESK OF SUP. STRAWMAN
AND PLACE THE OTHER COPY ON TOP OF THE FILES AND STORE IN CON VAULT.



5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

70-2253-318
SEARCHED... INDEXED...
SERIALIZED...
APR 1 1974
FBI - LOS ANGELES

Los Angeles

File 17 member (or) members of Williams
and first contact contact with (also)

b7D

Missing Serials - Los Angeles

b7D



Missin Series

b7D

NR 004 MP CODED

1:45 PM APRIL 12, 1974 DSC I M M E D I A T E
TO DIRECTOR ATTN: JOHN C. GORDON ROOM 2266
LOS ANGELES
FROM MINNEAPOLIS 70-6832-SUB P ONE PAGE

DENNIS JAMES BANKS; RUSSELL CHARLES MEANS; CIR - BURGLARY, ETC.
FOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA.

RE BUTEL TO LA AND MP, APRIL 12, 1974, AND MP TELCALLS TO
LA AND BU, APRIL 12, 1974.

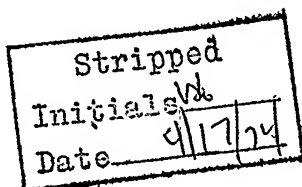
USDJ NICHOL TODAY DENIED DEFENSE MOTION TO IDENTIFY [REDACTED]
HE STATED ALSO IDENTITY OF THIS SOURCE WILL NOT NEED TO BE FURNISHED
AUSA HURD. AUSA HURD HAS WITHDRAWN REQUEST FOR IDENTITY OF SOURCE.

b6
b7C
b7D

LOS ANGELES DISCONTINUE REQUEST SET FORTH IN REFERENCED TELETYPE.

END

SMA FBI LA TU CLR



70-7253-319

SEARCHED	INDEXED
SERIALIZED	FILED
16	
FBI - LOS ANGELES	

[REDACTED]

F B I

Date: 4/25/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: SAC, BIRMINGHAM

FROM: SAC, MINNEAPOLIS (70-6861) (P)

SUBJECT: [REDACTED] aka; [REDACTED]

ET AL

CIR - BURGLARY, LARCENY

WOUNDED KNEE NON-LEADERSHIP TRIALS,
SIOUX FALLS, SOUTH DAKOTA
(OO: MINNEAPOLIS)

Re Minneapolis teletype to all Continental Offices dated 3/21/74 captioned "RUSSELL CHARLES MEANS; DENNIS JAMES BANKS; CIR - BURGLARY, ETC.; WOUNDED KNEE LEADERSHIP TRIALS, ST. PAUL, MINNESOTA".

Enclosed herewith are two xeroxed copies each of Minneapolis letter to the Laboratory dated 3/19/73 and Bureau letter to Minneapolis dated 4/12/73, both captioned [REDACTED] aka; ET AL; CIR - BURGLARY; LARCENY".

2 - Birmingham (Enc. 4)
2 - Boston (Enc. 4)
2 - Butte (Enc. 4)
2 - Charlotte (enc. 4)
2 - Chicago (Enc. 4)
2 - Cincinnati (Enc. 4)
2 - Cleveland (Enc. 4)
2 - Dallas (Enc. 4)
2 - Denver (Enc. 4)
2 - Detroit (Enc. 4)
2 - Honolulu (Enc. 4)
2 - Jackson (Enc. 4)
2 - Jacksonville (Enc. 4)
2 - Kansas City (Enc. 4)
2 - Las Vegas (Enc. 4)
2 - Little Rock (Enc. 4)
2 - Los Angeles (Enc. 4)
2 - Milwaukee (Enc. 4)

2 - Mobile (Enc. 4)
2 - Newark (Enc. 4)
2 - New Orleans (Enc. 4)
2 - New York (Enc. 4)
2 - Oklahoma City (Enc. 4)
2 - Omaha (Enc. 4)
2 - Philadelphia (Enc. 4)
2 - Pittsburgh (Enc. 4)
2 - Portland (Enc. 4)
2 - St. Louis (Enc. 4)
2 - Salt Lake City (Enc. 4)
2 - San Antonio (Enc. 4)
2 - San Francisco (Enc. 4)
2 - San Juan (Enc. 4)
2 - Seattle (Enc. 4)
2 - Springfield (Enc. 4)
2 - Tampa (Enc. 4)
2 - WFO (Enc. 4)

DWP:sks
(74)Approved: _____
Special Agent in Charge

Sent _____ M Per _____

b6
b7c

70-7253-300

SEARCHED	INDEXED
SERIALIZED	FILED
APR 29 1974	
FBI - LOS ANGELES	

MP 70-6861

The [redacted] case is being prepared for trial and Minneapolis is unable to locate the enclosures described in enclosed Bureau letter of 4/12/73.

b6
b7c

All personnel of the offices receiving this airtel who were assigned to the Pine Ridge, South Dakota, Command Post from the period after 4/12/73 should be contacted to determine if they have any recollection of seeing the instamatic cartridges, the negatives, or the developed prints described in the Bureau letter. The Minneapolis Office has no idea as to the subject matter of these photographs.

Reference is made to the teletype on the MEANS case to assist all offices in determining who should be contacted regarding this matter as this was done in connection with that teletype.

Any positive information should be communicated immediately to Minneapolis by teletype. Negative replies are not necessary.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, Minneapolis (70-6832)

DATE: April 12, 1973

FROM : ✓ Director, FBI (Acting)

SUBJECT: [redacted] aka;

ET AL

CIR - BURGLARY: LARCENY

OO: Minneapolis

see
70-6832-1536b6
b7c

Reference is made to your communication dated 3/19/73 transmitting
☐ negative(s) ☒ film ☐ photograph(s) ☐ document(s) ☐
pertaining to the above-captioned matter.

In accordance with your request ☒ film has been developed☒ enlargement(s) made☐ positive copy made☐ print(s) made☐ slide(s) made☐ negative(s) made☐ Photostats madeThe above is ☒ attached☐ being sent under separate cover, via ☐ registered mail☐ REA Express

One roll of Kodachrome film was processed and found to be blank.
Prints were not made of the roll of 110 Ektachrome film as this is
positive film not negative. If prints are necessary, return the
Ektachrome film as prints could be made.

70-6861-158

70-6832-1536

SEARCHED: [redacted]
SERIAL: [redacted]

Enc. 136

ACTING DIRECTOR, FBI
Attention: FBI LABORATORY

March 19, 1973

SAC, MINNEAPOLIS (70-6832)

[redacted] aka;

ET AL.

CIR - BURGLARY: LARCENY

OO: Minneapolis

b6
b7C

Enclosed for the Laboratory are eight film packs which were found in an International Travell-All bearing 1973 Washington plates [redacted]. This vehicle was occupied by [redacted] and two other females who were arrested February 27, 1973, as they were leaving Wounded Knee, South Dakota. Also found in the vehicle were firearms, ammunition, and merchandise which may have been taken from the Wounded Knee Trading Post, Wounded Knee, South Dakota.

The Laboratory is requested to develop and print enclosed film and to assure that film marked Pine Ridge and Rapid, Pine Ridge and Rapid City, remain with prints as Minneapolis at this point does not know significance of these notations on film packs.

70-6861-1511
~~70-6832-1536~~

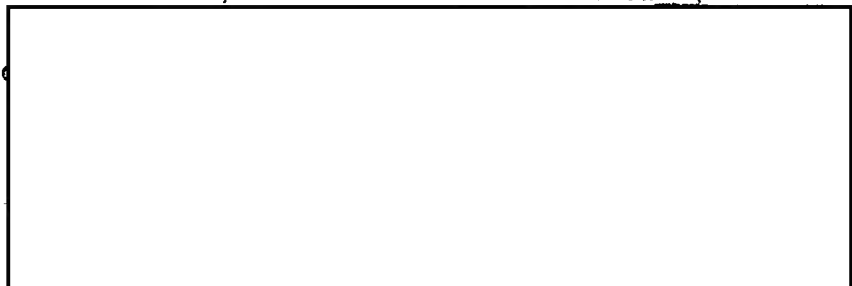
Searched ☒ _____
Serialized ☒ _____
Indexed ☒ _____

2 - Bureau (Encl)

② - Minneapolis

DGW:mjf

(4) *mj*



UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (70-7253)(C)

DATE: 5/1/74

FROM : SUPV. [REDACTED]

b6
b7C

SUBJECT: [REDACTED] aka;

ET AL

CIR - BURGLARY, LARCENY

WOUNDED KNEE NON-LEADERSHIP TRIALS,
SIOUX FALLS, SOUTH DAKOTA
OO: MINNEAPOLIS

Re Minneapolis airtel to Birmingham 4/25/74.

The Agents listed on the attached page were contacted and none had any recollection of seeing the instamatic cartridges, the negatives, or the developed prints described in Bureau letter dated 4/12/73.

[REDACTED] ro

10-7253-322

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 2 1974	
FBI - LOS A	

[REDACTED]



[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Thousand Oaks, CA

- Kansas City

- Laboratory

- New York

Quantico

Justin, CA

*Thousand
Oaks, CA*

MICHAEL P. SHANAHAN

[Redacted]

WILLIAM J. HURLEY

[Redacted]

70-7253-321

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 2 1974	
FBI - LOS ANGELES	

[Redacted]

F B I

Date: 5/7/74

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)TO: SAC, LOS ANGELES
FROM: SAC, DETROIT (70-2321)[redacted] aka;
ET AL
CIR - BURGLARY, LARCENYWOUNDED KNEE NON-LEADERSHIP TRIALS,
SIOUX FALLS, SOUTH DAKOTA
(OO:MINNEAPOLIS)b6
b7c

Re Minneapolis airtel to Birmingham, 4/25/74.

Enclosed for Miami is one copy of referenced communication as well as one copy each of enclosures which were included in referenced communication. (Minneapolis letter to the Bureau, 3/19/73, and Bureau letter to Minneapolis, 4/12/73.)

Three Agents who were assigned to the Detroit Division and who also served at the Pine Ridge, South Dakota Command Post during the Wounded Knee special after the period 4/12/73, are no longer assigned to the Detroit Division.

Two Agents have resigned and no longer live in Michigan. They are [redacted] who resides at [redacted] Tustin, California, and [redacted] who resides at [redacted] Street, North Miami, Florida. One Agent, SA WILLIAM T. HEALY, is currently assigned to the Language School in Monterey, California.

Handwritten:
Airtel lead
4/5/74
5/13/74 advised
lead no in 80.
570

- ① - Los Angeles
- 2 - Miami (Enc.-3)
- 2 - San Francisco
- 2 - Detroit

[redacted] dmf

(8)

70-7253-323

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAY 9 1974	
FBI - LOS A	

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

DE 70-2321

Receiving offices are requested to contact above individuals residing in each field office and determine if they can provide any positive information as requested in referenced communication and if so, forward this information immediately to Minneapolis by teletype. It is noted that negative replies are not necessary.

NR028 WA PLAIN

4:25PM NITEL 6-20-74 AMW

TO MINNEAPOLIS

OMAHA

LOS ANGELES

FROM DIRECTOR 3P

CHANGED [REDACTED]

ET AL.; WOUNDED KNEE, NON-LEADERSHIP TRIALS, LINCOLN,
NEBRASKA, CIR - BURGLARY, ETC.

RE MINNEAPOLIS NITEL 10:35 P.M., JUNE 17, 1974,
CAPTIONED, "NON LEADERSHIP AIM TRIALS, SIOUX FALLS,
SOUTH DAKOTA, AND LINCOLN, NEBRASKA, CIR - BURGLARY, ETC.,"
MINNEAPOLIS NITEL 5:47 P.M., JUNE 19, 1974, CAPTIONED,
"WOUNDED KNEE NON LEADERSHIP TRIALS, SIOUX FALLS, SOUTH DAKOTA
AND LINCOLN, NEBRASKA, CIR - BURGLARY, ETC.," AND
MINNEAPOLIS FACSIMILE (TELETYPE) JUNE 19, 1974, CAPTIONED
"WOUNDED KNEE NON LEADERSHIP TRIALS, SIOUX FALLS, SOUTH DAKOTA,
AND LINCOLN, NEBRASKA," "MOTION TO DISMISS FOR FAILURE TO
STATE AN OFFENSE AGAINST THE UNITED STATES" FILED BY THE
WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE JUNE 10, 1974,
END PAGE

b6
b7C

70-7253-324

at 3:50pm 6/20/74
PUB

[REDACTED]

PAGE TWO

AT SIOUX FALLS, SOUTH DAKOTA.

TITLE BEING CHANGED TO IDENTIFY THE NON LEADERSHIP CASE
UTILIZING THE NAMES OF TWO OF THE SIXTEEN SUBJECTS
INVOLVED.

SINCE THERE ARE A NUMBER OF CASES INVOLVED
IN THE WOUNDED KNEE NON LEADERSHIP GROUP, HENCEFORTH,
THE OFFICE OF ORIGIN, MINNEAPOLIS, SHOULD IDENTIFY
EACH OF THESE NON LEADERSHIP CASES WHEN COMMUNICATING
WITH FBIHQ AND AUXILIARY OFFICES.

REFERENCED MINNEAPOLIS NITEL JUNE 19, 1974,
REQUESTED FBIHQ TO ADVISE MINNEAPOLIS AS TO CURRENT
OFFICE OF ASSIGNMENT OF SA [REDACTED] HE IS
PRESENTLY ASSIGNED TO WATERLOO, IOWA, RESIDENT AGENCY
IN OMAHA DIVISION. ALSO REQUESTED IN SAME NITEL THE
OFFICE OF ASSIGNMENT OF SA [REDACTED], WHO
IS PRESENTLY ASSIGNED TO THE LOS ANGELES DIVISION,
HEADQUARTERS CITY. THE ABOVE TWO MENTIONED SPECIAL AGENTS
WILL REPORT 10:00 A.M., JUNE 29, 1974, TO THE FEDERAL
BUILDING, LINCOLN, NEBRASKA, FOR PRE TRIAL CONFERENCE
AS REQUESTED BY THE MINNEAPOLIS DIVISION.
END PAGE TWO

b6
b7c

PAGE THREE

MINNEAPOLIS KEEP FBIHQ CURRENTLY ADVISED OF ALL
PERTINENT DEVELOPMENTS IN CAPTIONED MATTER.

END

NJZ FBI LOS ANGELES CLR

NR059 UA PLAIN

9:34PM NITEL 6-19-74 MGN

TO MINNEAPOLIS

LOS ANGELES

OMAHA

FROM DIRECTOR IP

WOUNDED KNEE NON-LEADERSHIP TRIALS, SIOUX FALLS, SOUTH DAKOTA,
AND LINCOLN, NEBRASKA; CIR - BURGLARY, ETC.

BY TELETYPE 6/19/74, SAC MINNEAPOLIS ADVISED AS FOLLOWS:

"AUSA [REDACTED] ADVISED TRIAL OF SUBJECTS TO BEGIN JULY
1, 1974, IN USDC, LINCOLN, NEBRASKA. [REDACTED] ADVISED SAS [REDACTED]

b6
b7c

[REDACTED] AND [REDACTED] ARE NECESSARY WITNESSES WHO WILL
TESTIFY RE APPREHENSION OF SUBJECTS. SAC CONCURS. AUSA REQUESTED
WITNESSES REPORT 10:00 AM, JUNE 29, 1974, TO FEDERAL BUILDING,
LINCOLN, NEBRASKA, FOR PRE-TRIAL CONFERENCE.

BUREAU IS REQUESTED TO ADVISE MINNEAPOLIS AS TO CURRENT
OFFICE OF ASSIGNMENT OF SAS [REDACTED]

ADDENDUM BY BUREAU:

BUREAU FILES SHOW SA [REDACTED] ASSIGNED TO OMAHA AND SA
[REDACTED] ASSIGNED TO LOS ANGELES. INSURE AGENTS REPORT AS
REQUESTED BY AUSA AT 10:00 A.M., 6/29/74, FEDERAL BUILDING,
LINCOLN, NEBRASKA, FOR PRETRIAL CONFERENCE.

END

FBI LA JCD

FOR ONE

70-7252-325

[REDACTED]

[REDACTED]

[REDACTED]

NR 02 SC PLAIN

6-12 PM NITEL 7-25-74 WCH

TO LOS ANGELES

FROM SACRAMENTO (70-2353)(RUC) 1P

WOUNDED KNEE NON-LEADERSHIP TRIALS, SIOUX FALLS, SOUTH DAKOTA,
AND LINCOLN, NEBRASKA; CIR - BURGLARY, ETC. OO: MINNEAPOLIS.

RE OMAHA TELETYPE JULY 24, 1974.

RETEL STATED BLACK VOLVO, CALIFORNIA LICENSE [REDACTED] WAS
OBSERVED AT BARRACKS WHERE MEMBERS OF AMERICAN INDIAN MOVEMENT
ARE STAYING AT LINCOLN, NEBRASKA, AND REQUESTED REGISTERED
OWNERS BE IDENTIFIED AND OMAHA ADVISED OF INDICES AND CREDIT
AND CRIMINAL CHECKS ON THESE INDIVIDUALS.

b6
b7C

ABOVE LICENSE ISSUED JULY 16, 1974, FOR 1961 VOLVO,
VEHICLE IDENTIFICATION NO. [REDACTED] REGISTERED OWNER [REDACTED]
[REDACTED] BEVERLY HILLS, CALIFORNIA.

LOS ANGELES CONDUCT REQUESTED CHECKS.

END

HOLD

8-11-74
70-7253 326
[REDACTED]

3
T9/5/74

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, OMAHA

DATE: 9/25/74

FROM : SAC, LOS ANGELES (70-7253) (RUC)

SUBJECT: WOUNDED KNEE
NON-LEADERSHIP TRIALS,
SIOUX FALLS, SOUTH DAKOTA,
AND LINCOLN, NEBRASKA
CIR - BURGLARY, etc.
OO: Minneapolis

Re Sacramento teletype to Los Angeles, dated 7/25/74.

Referenced teletype stated black Volvo, California Driver's License [redacted] was observed where members of American Indian Movement are staying at Lincoln, Nebraska and requested registered owner by identifying above license issued 7/16/74 for 1961 Volvo, vehicle identification number [redacted] registered owner [redacted] Beverly Hills, California.

b6
b7c

Los Angeles indices negative on [redacted]
On 8/17/74 further inquire with CLETS determined Driver's License number [redacted] is identifiable to [redacted] and lists the following information:

Sex
Date of Birth
Height
Weight
Eyes
Hair
Current Address

Male

5'10"

165

Brown

Brown

Beverly Hills, California
(effective 5/30/74)

On 8/22/74 Los Angeles Department of Water and Power (Protect Identity) advised service to [redacted] Beverly Hills, California, is in the name [redacted]

- 2 - Omaha
- 1 - Los Angeles

lss

(3)



5010-110

File Stripped

Initials

Date

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OFFICE COPY

SEARCHED

INDEXED

SERIALIZED

FILED

70-7253-327

LA 70-7253

of [redacted] since 1966. No additional information available.

b6
b7C
b7D
b7E

On 8/23/74 Los Angeles Police Department records were checked with no records located identifiable with [redacted]

On 9/3/74 [redacted] and [redacted] who are familiar with militant and extremist activities in the Los Angeles area advised they did not have any information concerning [redacted]

On 9/17/74 Los Angeles County Sheriff's Office records were checked with no information noted concerning [redacted]

In view of no further investigation remaining outstanding in the Los Angeles Division this matter is considered RUC.

Date prepared

6-3-74

Date received

5-30-74

Rece

SA

b6
b7C
b7D

Method of delivery (

☐ in person

☐ by telephone

☒ by mail

☐ orally

☐ recording device

☐ written by Informant

If orally furnished and reduced to writing by Agent:
Date

Date of Report

Dictated _____ to _____

Date(s) of activity

Transcribed _____

Authenticated
by Informant _____

Brief description of activity or material

"Trial Newsletter" Wounded Knee
Legal Defense/offense Committee
DHS 2/16/74

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE.
VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

☐ Information recorded on a card index by _____ on date _____

Remarks:

Block Stamp

70-7253-328

SEARCHED... INDEXED...
SERIALIZED... FILED...
JUN 3 1974
FBI - LOS ANGELES

TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/BULLETIN #3

February 16, 1974

ST. PAUL - Following the selection of the jury, the trial of Dennis Banks and Russell Means, leaders of the American Indian Movement, moved forward Feb. 12 when the defendants presented opening statements to the jury.

Attending the first days of the trial were 65 Traditional leaders of the Oglala Lakota Nation. They wore their traditional dress and were welcomed to St. Paul by Mayor Lawrence Cohen at a formal dinner.

The Traditional leaders of the Oglala Sioux have supported the actions at Wounded Knee from the beginning and it was at their invitation that American Indian Movement (AIM) leaders came to the Pine Ridge Reservation. They issued the following statement to the "American Public" and to Fred Nichol, Federal Judge:

We are all Oglala people, landowners and Traditional people. We have come to a court we don't know, which doesn't know us, to tell everybody who will listen that we stand with our brothers Russell Means and Dennis Banks. Together we stand with our traditions, our land, our medicine and our Treaty rights.

We represent not only ourselves but the Oglala Band, the Sioux Nation and concerned Indian people everywhere.

We called our brothers and AIM to help us because we were being oppressed and terrorized. They answered our call. We now call upon all people to honor our people and to honor our Treaty rights.

If Dennis Banks and Russell Means go to jail for supporting the dignity of the Sioux Nation and the promises made to us, you must be ready to send us all to jail. If we cannot live according to our ways and tradition we are ready to join them in the white man's prison.

FRANK FOOLS CROW,
Traditional Chief of the
Oglala Nation

Neither Russell Means nor Dennis Banks was able to make their opening statements without interruptions from both the federal prosecutor or Judge Fred Nichol. The statements explained what happened and why during the 71 day siege at Wounded Knee.

Nichol, in fact, threw the court into chaos when he had defense attorneys Mark Lane, William Kuntzler and Ken Tilsen physically removed from the courtroom for objecting to the interruptions to Dennis Banks' statement.

The judge particularly objected to a portion of Dennis' statement in which he, in quoting the judge's explanation for why he granted a change of venue from South Dakota to St. Paul, referred to a comment of Nichol's about the attitude of South Dakotans towards Indians.

He had begun his statement with "one of the reasons why a change of venue was granted from South Dakota is because the mentality of those in South Dakota are - and I quote from Judge Nichol - that they would rather line us up and shoot us all dead."

Nichol angrily interrupted and threatened to have Dennis Banks seated by the marshalls when he continued making his statement. Later the judge was forced to apologize twice to the jury for the sudden outburst of temper and the forcible ejection of the defense lawyers. Dennis Banks was allowed to complete his statement.

In his opening remarks, Russell Means outlined to the jury how Indian philosophy differed from that of whites and what life was like on Pine Ridge.

He opened, saying "Hau mi tok pi. I am Russell Means, an Oglala Lakota. The white man has used a Chippewa corruption of a French word, Sioux, and that is what we are labelled. The Chippewa corruption of that French word means cut throat.

"We call ourselves Lakota, which means allies to us, and an Oglala Lakota from Pine Ridge reservation, as referred to by the United States government."

Russell said that despite the long-winded reading of the 10 count indictment by the prosecution, as their opening statement, that "we will produce evidence that (this trial) is not really about those charges. This trial is the United States of America vs. the Oglala people and all Indian people.

"We will produce evidence of the United States attorney's refusing to uphold our civil rights as guaranteed not only by the Constitution of the United States, but by our own tribal constitution."

He talked about the suppression of the Oglala religion by then Tribal President Richard "Dick" Wilson and the attempt by Wilson to ban all meetings of more than three people on the reservation.

The key issue of the 1868 Sioux Treaty, which is the heart of the defense, was introduced by Russell. Nichol interrupted him to say that it was not settled yet whether the defense would be allowed to enter the treaty as evidence.

The jury was told by Means that 'one of the things that you will come to find out about Indian people is that we have respect for our brother's vision...

"First of all, we believe that all living things come from our sacred mother earth, all living things, the green things, the winged things of the air, the four leggeds, the things that crawl and swim and, of course, the two leggeds.

"It is our philosophy that because all living things come from one mother, our mother earth, then of course, we are all related and we have to - we have to treat one another with the same respect and reverence that we would our own blood relatives.

"And so the spirituality of the red man is why we welcomed with open arms the man from across the sea, the European, in every instance we welcomed him.

"Respect for your brother's vision. We thought we could live side by side until we found we couldn't and war developed, because of gold in Montana, and...we will show you that the Oglala, with the ehlp of the other Teton Sioux people, the Northern Sky and the Arapahos, militarily defeated the United States of America on the Balsam Trail and as a result, the U.S.A. sued for peace and the 1868 Treaty was born,

"And,...in the Lakota way, we believe and take pity upon the vanquished and so in our generosity to the losers, the U.S.A., we gave them Nebraska, Wyoming, Montana and the Great Sioux Reservation as it was called was born because of the 1868 Treaty...

"That treaty we will introduce in evidence, how it was continually abrogated illegally and how it was continually violated by the U.S. government, by the Congress, by the army, by the Bureau of Indian affairs, by homesteaders.

"We will prove to you that the government, in it's case against us, is trying not only to violate our treaty rights, again, but violate your Constitutional rights."

Russell also talked about AIM, saying, "we will related how the American Indian Movement really goes along with the Christian movement before the white man came over here, with the labor movement in this country, how all spiritual movements are movements for the rights of people."

Before AIM, he said, Indians had only five ways to express their manhood which included athletics, the military, drinking - "go down to the bar and fight your brothers and sisters just to say 'look, I'm a man', or take the bottle again and go home and mistreat your wife and tell her, 'look, I'm a man'." Beyond that, Russell said, Indians could try to be like white people.

"There has been a new way, lately, to express our manhood, and that's been the American Indian Movement, to express our Indianess, in the Lakota way."

He told the jury about how the repeated attempts of the Oglala to get relief from the repressive, corrupt conditions on the reservation from various federal agencies and law enforcement officials, including chief federal prosecutor William Clayton, were rebuffed.

He charged that the Wounded Knee Trading Post has been operating without a license, illegally, for 12 years. The Trading Post figures heavily in the government's charges as having been raided and robbed.

The owner of that trading post, Means said, violated the truth in lending act, usury laws and postal regulations. The trader system, he said, "keeps our people, my people, in economic bondage" and that bondage makes the traders "very influential in elections to the puppet tribal government."

He talked about the government's violations of agreements with the Wounded Knee, when two Indians were killed, the complete collapse of even the government system set up by the BIA and the continuing loss of land by Oglala people.

The picture was one of corruption, chaos and occupation by U.S. marshalls before the 71 day seige began on Feb. 27, 1973.

Russell talked about the government's actions during the occupation - the firings into Wounded Knee, the refusal to allow residents to return to their homes, the "scorched earth policy" in which everything around the town was burned, the "terror of the BIA," the continuing harrassment of AIM members on the reservation.

He closed by saying that the issue was whether the "United States of America is to live up to their own laws." Quoting Chief Joseph, when he surrendered, Russell said:

"Give me the right to choose my own teachers; give me the right to practice a religion of my fathers; give me the right to travel and come and go as I please; give me the right to trade with whom I please, and do business with whom I please; give me the right to follow the ways of my fathers and I will obey every law or submit to the penalty."

Dennis Banks opened by showing the jury the 1868 Ft. Laramie Treaty. He said that he and Russell Means were guilty of asking the seante to "investigate the conditions that were imposed by the federal government upon our people."

"We plead guilty to that because the policy of the BIA has been one of total disruption against the Indian community. It's been one of total obstruction, of depriving Indian people of their heritage..."

"The Bureau of Indian Affairs and the Dept. of Interior have been responsible for much of the misery, much of the poverty, and the early deaths that happened on the reservation."

These policies were announced on Sept. 28, 1886 by the then Commissioner of Indian Affairs J.D.C. Atkins, who said:

"The Indian must therefore be taught how to labor and that labor may be made necessary to his well being. He must be taken out of the reservation through the door of the General Allotment Act, and he must be imbued to the exalting egotism of American civilization so that he will say 'I' instead of 'We,' and 'this is mine' instead of 'this is ours'.

"And that laid the groundwork for Bureau policy. On Feb. 27, 1973, members of the Oglala Sioux Nation began a most historic event, an event that was destined to change the course of Indian history, to change the attitude of white America, to change the behavior of white America, and certainly to challenge the policies that were established by a commissioner in 1886."

Dennis talked about the deaths of Buddy LaMont and Pedro Bissonette at Wounded Knee who died "defending the Oglala Sioux Nation." Evidence would be produced, he said, that will show "Indian people still believe in the Indian way of life."

He told how the Oglala Sioux Civil Rights Organization came to AIM for help five times. Not only the OSCRO, "but the Traditional chiefs saw the federal government slowly but surely strangling Indian ways, Indian religion." He explained that Wilson, with the support of the BIA, had banned the most sacred ceremony of the Oglala religion, the Oglala Sioux Sun Dance.

Banks charged Wilson with mismanagement and said Indian landowners steadily lost their land when he was Tribal president. Wilson also, he said, was allowed to appoint the judges who presided over his own impeachment proceedings. Following such actions, the Traditional leaders, many of whom are women, called on AIM to help them discuss further actions.

A plea was made to AIM, he said, by "two women who were truly the real warriors of Indian society, who saw their own sons dying on the reservations, who saw their own children dying on the way to the hospital" and "they asked...where were the spirits of so long ago that made this nation great, where was that Indian spirit that the Oglala Sioux nation so many years ago stood up against the U.S. army,

"And these two women demanded an answer from the chiefs and those of us who were present, demanded to know if there were any Indians left in this country, if there were any Indians left in the United States, Indians who were descendants of those great Indian heroes of long ago, and she asked us if we were to allow another day to go by under the dictatorship of Wilson,

"And they asked us where were the Indians that allowed the marshalls who were surrounding us in Calico, where were the Indian warriors that allow non-Indians to come to this reservation and dictate our lives."

Dennis Banks recalled his own mother asking for assistance and being refused. "She had seen her own children being bused from the reservations, Leech Lake here in Minnesota, 280 miles to Pipestone, and I saw that what these Oglala Sioux women were asking; how many more years, how many more days, how many more hours can we take this, and I remember being bused from the boarding school in Minnesota to a boarding school in North Dakota and I remember the Oglala Sioux women's request, how long does an Indian suffer under this kind of system, and I realized that there could be only one answer."

The same BIA that in 1886 wanted to "imbue Indians with the exalted egotism of the white man" was responsible for sand bags to be placed around the administration building on the reservation two weeks before the occupation began; that allowed the Tribal Council to be undermined; that allowed an elected vice-president to be fired by Wilson for daring to oppose him, Dennis said; and the "Oglala Sioux women only asked that the spirit, that the fighting spirit return, so that there would be no reason for Indian people to drink themselves to death, so that there'd be no reason for Indian youngsters to be slashing their wrists.

"These women, the Oglala Sioux women who were speaking for all Indian women," Dennis said, had "reached a point in history where we could not tolerate that kind of abuse any longer, where these women, these parents, these fathers who couldn't tolerate the mistreatment that goes on on the reservation any longer, they could not see another Indian youngster die..."

Banks talked about the see-sawing of the government in making agreements with the Oglala Sioux and then breaking them. They finally demanded that government officials they could trust and, in succession, re-

quested H.R. Haldeman, John Ehrlichman, and Spiro T. Agnew, all of whom had some functionary position in regards to Indian affairs.

"Wounded Knee represented to the Oglala Sioux and to Indian people all across the country that last desperate attempt to bring about justice. And those names that we mentioned of all of the Oglala Sioux people, maybe the names won't go down in history, but they'll go on knowing that at Wounded Knee they did present...a last chance to bring justice...

"And what is so important at Wounded Knee is that Indians and non-Indians alike came together and created that last desperate attempt; an attempt to bring Indian heritage, Indian ideas back.

"It was unfortunate that three Indians have died but they died knowing and all of us who were at Wounded Knee will go to the Spirit World knowing that the unborn generation will be given that opportunity to live the life that they choose and not the life that somebody else dictates."

The government then opened its case by introducing two witnesses to prove that Dennis Banks and Russell Means were Indians. The need for this is that the first two counts of their indictment depend on Russell and Dennis being Indians. That is, they'd be formally charged, in a different way, if they weren't Indians. The counts include breaking and entering the Wounded Knee Trading Post with intent to commit a larceny and stealing property from the trading post in excess of \$100.

Defense attorneys were able to successfully use these witnesses to introduce mention of the 1868 Sioux Treaty. This helps to lay the groundwork for later introduction of the Treaty as evidence.

During cross-examination by William Kuntsler, Clarence Nelson, current director of natural resources for the BIA at Pine Ridge and first cousin to Dick Wilson, admitted that the size of the reservation today is much smaller than the original territory granted to the Sioux Nation under the 1868 Treaty. Most of the land has gone to white ranchers and the U.S. military which used portions of the reservation for bombing practice.

Ivy Goings, the chief court clerk for the Tribal court at Pine Ridge, brought a file which allegedly was to establish that Dick Wilson, acting as Tribal president, requested U.S. marshalls to come onto the reservation. However, defense lawyers were successfully able to block, for the time being, introduction of the specific petition which requests the order for the marshalls while they argue for its permanent suppression as evidence on the grounds it's illegal.

The argument, which Judge Nichol will rule on when court reconvenes Feb. 19, is that Wilson did not have the right to request such an order and Tribal Judge Theodore Tibbitts did not have the authority to grant it. Only the Tribal Council, under the constitution and by-laws of the tribe, has that authority.

Additionally, defense attorneys brought out that the petition requesting the order has never been seen before it was introduced in court. Neither the FBI or Mrs. Goings saw it in the file when they examined it last summer. Mrs. Goings said it had been handed to her by Judge Tibbitts after she was subpoenaed by federal prosecutors, strengthening the defense contention that the petition is also probably a fraud, produced after Feb. 27, 73 to justify U.S. marshalls coming onto Pine Ridge.

The government brought onto the stand an FBI agent Stan Keel, who described himself as "seven-sixteenths Chickasaw," to prove that AIM planned to use violence a week before the occupation of Wounded Knee began. However Keel began tripping all over his statement under cross-examination by defense lawyer Doug Hall, mixing up times, places, and who said what when.

He mixed up Clyde and Vern Bellecourt, identified Dennis and Russell as being downtown Rapid City, S.D. at a time when U.S. marshalls had placed them miles away at the city airport and relies almost exclusively on alleged remarks made by Thomas Red Blanket, a man who was discharged from the army as an alcoholic and was confined to a veteran's hospital for treatment as an alcoholic.

The fifth witness the government put on the stand this week was John, an elderly white man who works as a range technician for the BIA on Pine Ridge. He also works as a fireman. He testified that on Feb. 27 when he answered a call from Agnes Gildersleeve, owner of the Wounded Knee Trading Post that there was a fire there. He said when he arrived at the trading post, he was fired upon. His testimony is not complete as defense lawyers have not cross-examined him.

Earlier in the week, on Monday, Feb. 11, Judge Nichol heard a defense motion to suppress a letter written by Carter Camp, one of the six chief defendants, on the grounds it had been illegally seized. The government brought in the manager of an apartment complex in Rapid City who was a voluntary informer for the FBI.

Mrs. Margaret Jenner, who provided information on people living in the apartment who were working on legal preparations for the trials, said she found the letter after the defense legal workers had moved out. She had called in FBI agents, who had rented the apartment next door, to search the place.

While they were going through other rooms, she claims she found the possibly incriminating letter on a kitchen counter. The question of whether the government will actually be able to introduce the letter into evidence has not been finally decided by Judge Nichol.

After the first week of testimony, the pattern of FBI infiltration and surveillance of the American Indian Movement is clearly emerging. The government plans on calling over 100 witnesses, many of whom will be FBI agents or U.S. Marshalls. The charge made repeatedly by AIM and the defense team that this case has been the subject of intensive harassment and intimidation by federal agencies and the FBI is being borne out as the government case unfolds.

In Sioux Falls where two other Wounded Knee defendants, Vaughn Baker and Marianne DeCore, are on trial on charges of breaking and entering and larceny, a hearing on suppression of evidence and a statement made to the FBI by Baker continues.

Conspiracy charges against Baker and DeCore were dropped by the government. The defense is contending that the evidence in the case was seized in an illegal search.

Judge Warren Urbom, who has been hearing the case is to be replaced by Judge Benson from Nebraska. Judge Benson was the man who sentenced Rev Paul Boe for contempt of court when he refused to name names of people who were in Wounded Knee before a grand jury which was seeking indictments.

While the trials continue, it is important that as much support as possible for AIM and their demands be organized. In the next issue of the newsletter/bulletin we will include a draft resolution that can be introduced to your organization or union. We urge you to do so and request funds as well for the defense depends on donations. It has cost thousands of dollars so far to prepare the trials, raise bail for the 130 defendants and file motions.

SUPPORT THE 3 DEMANDS OF AIM AND THE RIGHTS OF ALL INDIAN PEOPLE TO SELF-DETERMINATION AND JUSTICE.

1. Congress should establish a Treaty Commission to examine the 371 treaties signed with Indian peoples.
2. Re-examine or repeal the 1934 Indian Reorganization Act which imposed the current government structure on Indian tribes.
3. Remove the Bureau of Indian Affairs from the Dept. of the Interior and set it up as an independent agency to end the conflict between the corporate interests the Dept. represents and the management of Indian lands.

**SUPPORT, DEMONSTRATE ON
FEB. 27, NATL. INDIAN
SOLIDARITY DAY, THE 1st
ANNIVERSARY OF WOUNDED KNEE**

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Legal Defense / offense Committee
DHS 3/2/74

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE.
VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

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TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/BULLETIN #4

March 02, 1974

Last week we didn't publish our Trial Bulletin/Newsletter because court was in session only for two days.

The trial of Dennis Banks and Russell Means who are charged with conspiracy, burglary, assault among other charges, stemming from the liberation of Wounded Knee in 1973 was recessed until Feb. 21 at the request of Randolph Hearst to allow Dennis Banks to go to San Francisco as the American Indian Movement representative to lay the basis for negotiations between the Hearst family and the Symbionese Liberation Army for the return of Patricia Hearst, kidnapped by the SLA.

Following is a statement made by Dennis Banks, national executive director of AIM, on February 20 after he and Russell Means returned from California.

Mr. Banks said:

"On Feb. 4, 1974, this country became victims of the first political kidnapping in our history. This act, which the Symbionese Liberation Army, has taken full responsibility for, is an attempt to call attention to the desperate needs of the poor in California and elsewhere. Many organizations were listed to act as observers or coordinators during this most crucial time of negotiations.

AIM was one of those organizations."

Dennis Banks' participation in the negotiations came following a policy statement issued by the American Indian Movement regarding the situation. That policy statement follows in its entirety.

The American Indian Movement is one of six groups named by the Symbionese Liberation Army to act as observers in the distribution to the poor of food to be furnished by the family of Patricia Hearst.

The American Indian Movement recognizes the proposal as a serious one and in response, is dispatching Mr. Dennis Banks, Nat'l Executive Director, to San Francisco to support its local representatives in formulating any necessary plans.

Mr. Banks, who with Mr. Means, is on trial in Federal Court in St. Paul, Mn., on charges relating to the liberation of Sounded Knee in 1973, will work with the representatives of the six organizations in endeavoring to meet any preconditioning for negotiating for the release of Miss Hearst.

With AIM having experienced the deaths of several of its members at Wounded Knee, it strongly desires to assist in preventing any further bloodshed, whether members of the SLA or Miss Hearst.

AIM fully understands the objectives of the SLA in unveiling the rampant racism in our society, in exposing the vast injustices in our nation, and in identifying the desperate needs of the poor.

AIM joins with SLA in calling for a massive demonstration of new concern for the poor but only wishes that a kidnapping had not been necessary to generate such a concern.

SLA has assured the safety of Miss Hearst and AIM respects that trust as SLA is temporarily using the life of Miss Hearst to graphically illustrate the daily suffering of hundreds of thousands of the poor, AIM desires to take only those steps which will further assure Miss Hearst's safety.

AIM appeals, however, to the SLA to negotiate directly with one or all of the representatives of the six organizations which SLA has designated, and Mr. Banks offers himself immediately to be of any possible assistance in facilitating the negotiations irrespective of any possible danger to himself.

The four point program which was worked out is as follows:

"Assuming there is a 'basis for negotiations' and, in order to provide a just and equitable conclusion to the SLA proposal, AIM sets forth the following plan for immediate implementation.

"1. That one representative from each of the organizations designated by SLA as observers and coordinators form a coalition to implement the SLA proposal.

"A. That this coalition will meet at least once a day for any and all emergencies that may arise.

"B. That this coalition appoint committees to address themselves to food, health, clothing, prison, welfare, housing, aged and disabled.

"2. That this coalition receive and implement the SLA proposal.

"A. That all good faith gestures be channeled to this coalition or its designate.

"B. That this coalition administer all distribution of food, clothing, and fulfill other conditions specified by the SLA.

"3. That this coalition be recognized by agents, officers, and other personnel who represent the U.S. government.

"A. That diplomatic immunity be granted to those participants of this coalition.

"B. That this coalition be protected from reprisals, either politically or otherwise, from those agencies, agents, officers, or others who represent law enforcement agencies of municipal, city, county, or federal governments.

"4. That this coalition be recognized by the Hearst family which will not, directly or indirectly, take any reprisal action whatsoever against those members or organizations participating in this coalition."

The four point program was accepted by the Hearst family.

TRIAL REPORT

When the trial resumed on Feb. 21 the prosecution introduced two undercover FBI agents who attempted to infiltrate AIM shortly before the liberation of Wounded Knee.

Agents Stanley R. Keel, alias Richard Round Tree, and Charles E. Stephenson, alias Charles Light Foot attended an open meeting at the Mother Butler Center, a Catholic community center in Rapid City, S.D. The reason why Keel and Stephenson were chosen by the FBI for that assignment is they are both part Indian. Keel described himself as "seven-sixteenth Chickasaw" and Stephenson as "one sixteenth Cherokee".

The purpose of the open meeting the pair attended in Rapid City was not, as they both testified, to plan violence on the reservation, but to await word from Pine Ridge on the impeachment of Tribal Council Chairman Richard Wilson. The meeting was attended by 300-500 people. Clyde Bellecourt, Dennis Banks, Russell Means, Ramon Roubideaux and Father Pates, director of the Mother Butler Center, addressed the meeting.

The only information they collected on "planned violence" came from Red Blanket who has a 15 year history of alcoholism. The pair described Red Blanket as the person in charge of security.

During their testimony Keel and Stephenson have repeatedly contradicted each other. Both testified that they were interested in joining AIM. Keel says that while they were interviewed there were 4 or 5 people "surrounding them" in the room. Stephenson says there were 25 to 30 people.

Keel talked about daily oral reports made to their superior in Rapid City, while Stephenson testified they never did. Keel mentioned they had written notes from which the reports were dictated, Stephenson was positive in his testimony that they never had any written notes.

One of the most important contradictions is that the written report of their activities for Feb. 21 and Feb. 22 showed that they were dictated on Feb. 24, so Keel testified. Stephenson said that the report of Feb. 21 was dictated that same night and he named the place and secretary he and Keel dictated it to.

These men haven't been able to keep their facts straight. The repeated contradictions in their story makes the testimony extremely hard to believe at all.

On Thursday, Feb. 21, Judge Fred Nichol had laid the groundwork for upsetting a major section of the prosecution case against Dennis and Russell.

The Treaty of 1868 signed between the Sioux Nation and the U.S. government prohibits federal forces from coming onto the Pine Ridge Reservation without the express approval of the Sioux Nation.

The government has argued that they need no prior authority to enter the reservation despite the express provisions of the Treaty of 1868.

To support its case the government attempted to enter into evidence a petition from Tribal Chairman Richard Wilson requesting a court order from tribal Judge Theodore Tibbitts, and the order that Tibbitts issued requesting U.S. Marshalls to come on the Reservation.

Attorneys for the defense argued that both the petition and tribal order were illegal, as according to the tribal constitution and by-laws, only the tribal council can make such a request. In addition, it appears that the petition may be a fraud in that the clerk was forced to admit that it was not in the court file and she never saw it until after she received the governments subpoena in January of 1974. Then, for the first time, Judge Tibbitts gave her the petition supposedly signed by Dick Wilson on Feb. 9, 1973.

Judge Nichol ruled that government prosecutors could not introduce as "legitimate evidence" the petition of Richard Wilson and the order of Tibbitts. He cited the provisions of the tribal constitution authorizing only the tribal council to make such a request and described the petition and order as illegal.

The government's 7th and 8th witnesses were Bureau of Indian Affairs (BIA) police Wayne Romero and Virgil Randall who were on duty together the night of Feb. 27, 1973.

Attorneys for the defense have tried to bring out that both Romero and Randall were members of Dick Wilson's goon squad, but Judge Nichol repeatedly sustained objections by R.D. Hurd, assistant U.S. attorney, to questions that could have shown that Romero and Randall were in fact part of the goon squads established on the reservation to keep Wilson in power.

Romero, although he has been living on the reservation most of his life claims he knows nothing about Chief Frank Fools Crow, traditional religious leader on the reservation. He also claims to nothing about the sundance and has never heard of the sacred peace pipe.

When Randall took the stand at the end of the day wearing dark sunglasses, he was shown by Mark Lane, attorney for Dennis Banks, a roster of the goon squads which was obtained from the BIA police department. Randall confirmed he had seen it "floating around" in the police department about a year ago. Randall repeatedly denied any knowledge of the goon squads or vigilante groups and said he didn't know how his own name appeared on the roster. Continuing his cross examination Mark Lane asked Randall why he had been transferred from the Pine Ridge Reservation to Winnebago, Nebraska. "Were you," Lane asked, "transferred because you shot and killed little Spotted Horse, an Oglala, and because you shot your brother Wayne Randall in the leg, and because you struck a pregnant woman, Mary Burns Prairie, in the stomach with your billy club, causing her to miscarry?"

Prosecuting attorney R.D. Hurd jumped to his feet, speechless, while Judge Nichol was shouting "Mr. Lane! Mr. Lane!" The witness sat, undisturbed by the question.

Judge Nichol angrily admonished Lane, and ruled that because lane had "abused his right of counsel" he could not continue the cross-examination. "I am sick and tired of your behavior," added the Judge. Following discussion, Nichol regained his composure and told Lane that could continue, provided he asked questions in another area. After the court session, Mark Lane said: "It was a perfectly proper question under cross-examination and I am sure the Judge will realize that."

The next morning a long debate took place outside the presence of the jury to determine whether or not Mark Lane could question the witness in an attempt to impeach him. In the middle of the discussion Judge Nichol said that an excellent suggestion had been made to the clerk of court that this trial would proceed faster if there were no reporters in the court room, thereby implying, as he had clearly stated at the beginning of the trial, that the defense attorneys were delaying the proceedings on purpose for the benefit of the news media.

Mark Lane was finally permitted to continue questioning the witness, at which time Randall denied knowing anything about Little Spotted Horse, his brother being shot or being involved in any violence. When the defense presents its case, witnesses will be brought to impeach Randall's testimony.

The prosecution then brought to the stand three witnesses to testify as to the location of government road blocks, A.I.M. bunkers and location of houses in Wounded Knee as shown on the government maps to be used as exhibits.

But the last witness, Jerry Brennan, who was brought to the stand to testify that the location of the houses on the maps was accurate, ended up saying that the proposed government exhibit had a number of "glaring inaccuracies"; the map showing houses in Wounded Knee was not received in evidence.

The 12th witness for the government was Merrill Sherer, another FBI agent who was brought to the stand to testify he had seen a caravan of cars entering Wounded Knee the night of Feb. 27, 1973. The cross-examination revealed that Sherer saw nothing illegal in that caravan of cars slowly moving from Calico Hall to Wounded Knee.

The next government witness was Gary Thomas, a former lawyer for the only legal aid office on the Pine Ridge Reservation.

Thomas testified that Pedro Bissonnette, Oglala Civil Rights Organization leader murdered by the BIA police, and Russell Means went to his office around 7:00 pm the night of Feb. 27, 1973. About 8:30 pm that same night Mr. Thomas went to Wounded Knee and saw Russell at the Catholic Church.

Under cross-examination, Mr. Thomas explained how he had lost his job as attorney for the only legal aid office on the Pine Ridge Reservation on Feb. 28, 1973. "Mr. Wilson," Thomas said, referring to Dick Wilson the tribal chairman, "I saw him on the 28th. He said I had 10 to 12 hours to leave the reservation or I would be killed." Thomas added that Wilson had pushed him and that his breath smelled booze. Mr. Thomas lodged complaints with the FBI right after the incident, but doesn't know that any action has been taken against Wilson.

Thomas also testified as to the climate of terror prevailing on the Pine Ridge Reservation on Feb. 1973. He related an incident that took place in the afternoon of the 27th where Russell Means had been assaulted by five men while sitting in Thomas' car parked near a grocery store in Pine Ridge. A complaint was filed shortly afterwards but Wilson got it dismissed.

Gary Thomas' testimony exposing some of the conditions on the reservation has helped the jury understand the origins of the Liberation of Wounded Knee.

The final witness for the government on stand this week was Father Paul Manhart, the Catholic missionary priest of the Sacred Heart Church of Wounded Knee.

Father Manhart testified he saw the long stream of headlights coming down the Big Foot Trail into Wounded Knee on the night of Feb. 27th. "It was striking", he added. Prosecuting attorney R.D. Hurd has not completed his direct examination of the missionary. The trial resumes Monday March 4th.

SUPPORT THE WOUNDED KNEE DEFENDANTS

On February 27, 1974, a rally was held at the University of Minnesota in Minneapolis commemorating the first anniversary of the Liberation of Wounded Knee. Approximately 1500 people gathered in the main ballroom of the Coffman Union at the University of Minnesota to show their support of the Wounded Knee Defendants. The featured speakers were the defendants Dennis Banks and Russell Means, and John Trudel of the American Indian Movement.

SUPPORT THE WOUNDED KNEE DEFENDANTS

While the trials continue in St. Paul and in Sioux Falls, it is of the utmost importance that the broadest support possible be shown.

FEBRUARY 27: ANNIVERSARY OF WOUNDED KNEE LIBERATION

On Feb. 26th, Judge Fred Nichol prohibited Russell Means and Dennis Banks from attending ceremonies at Wounded Knee to commemorate the first anniversary of the Liberation and to pay homage to the warriors who died at Wounded Knee.

Over 300 people, the usual population of Wounded Knee during the liberation, ringed Buddy Lamont's grave/the mass grave site at Wounded Knee for a prayer service conducted by Oscar Bear Runner who is a long time activist on the reservation and himself a defendant.

Chief Frank Fools Crow led the people in prayer followed by drum singing by the Porcupine singers and a speech by Ted Means. Ted reminded the gathering of the sacrifice that Buddy, Frank Clearwater and later Pedro Bissonette made to save their lives and traditions and urged Indian people to carry on that fight. There was a feast held afterwards at the Porcupine Community hall.

A caravan of 12 cars from Rapid City proceeded without incident to Wounded Knee although under heavy surveillance at check points. Earlier Wilson had said the only gathering at Wounded Knee would be a goon squad but he backed down at the last minute and allowed the ceremony to take place.

SIOUX FALLS TRIAL REPORT

In Sioux Falls defendants Madonna Gilbert, Lorelei DeCora Means and Tonia Ackerman waived their right to be present at the ongoing suppression hearing and joined other Wounded Knee defendants and supporters in the caravan from Sioux Falls to Wounded Knee.

After granting the defense suppression motion on Marianne DeCora and Vaughn Dix Baker, Judge Warren Urbom refused a summary judgement in the case of Madonna, Lorelei, and Tonia who were stopped at the same road block at the same time. Suppression hearing continues building from earlier testimony. The continuing hearing is expected to go into the first couple days this week. If the defense loses the motion, a bench trial will begin thereafter before Judge Urbom.

SUPPORT THE WOUNDED KNEE AND RELATED DEFENDANTS ON TRIAL IN SIOUX FALLS
DEFEND THE RIGHTS OF ALL INDIAN PEOPLE

IF YOU WOULD LIKE TO RECEIVE THE COMMITTEE NEWSLETTER FROM SIOUX FALLS
PLEASE RETURN THIS COUPON TO:

WKLD/OC P.O. Box 255
Sioux Falls, South Dakota 57101

Please send me your Committee Newsletter:

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The following resolution is a proposed draft that we ask you to bring before your organization. Copies of any resolutions that your organization does pass should be sent to:

Atty Gen. Saxbee
Dept. of Justice
Washington, D.C.

Chief U.S. Dist.
Judge Fred Nichol
Fed. Court Bldg.
St. Paul, Mn. 55101

William Clayton
U.S. District Atty
Fed. Court Bldg.
St. Paul, Mn. 55101

Please send a copy to the Wounded Knee Legal Defense/Offense Committee at 333 Sibley, Rm. 605, St. Paul, Mn. 55101, also.

WHEREAS, Native Americans have been mistreated and robbed of their lands by the US Government, real estate speculators, corporations such as railroads and mining combines, as well as giant utilities companies, and

WHEREAS, Native Americans signed 371 treaties in good faith with the U.S. Government which has continually violated those treaties and its obligations to Native Americans, resulting in the severest poverty, highest infant mortality and suicide rates in the population and extreme economic hardships including wage earnings far below minimum rate, often less than a dollar an hour, and

WHEREAS, The Supreme Court of the United States of America has ruled that treaties entered into by the U.S. Government and approved by Congress carry the same force of law that the Constitution does, so that violations of treaties signed with Indian Nations demonstrates a lack of respect for the highest laws of this land,

THEREFORE BE IT RESOLVED that we fully support the struggles of Indian peoples for a full redress of their just grievances; for self-determination and justice by supporting the three demands of the American Indian Movement, the Oglala Sioux Nation and the people on trial in St. Paul and Sioux Falls for their participation in the liberation of Wounded Knee Feb. 27-May 8, 1973, specifically:

1. Congress should establish a Treaty Commission to examine the 371 treaties signed with Indian peoples.
2. That the Indian Reorganization Act of 1934 be re-examined or repealed because the IRA places Indian self-government under the direct and total control of the Bureau of Indian Affairs and because the IRA has imposed non-Indian systems of government on Indian peoples, which systems have become corrupted in the process.
3. Remove the BIA from the Dept. of the Interior and set it up as an independent agency to end the conflict between the corporate interests the Department represents and the management of Indian lands.

THEREFORE, BE IT FURTHER RESOLVED that all charges be dropped against the 129 people the government is attempting to prosecute for their stand in defense of their civil rights.

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VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

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• WOUNDED KNEE

• SIOUX FALLS

LEGAL DEFENSE/OFFENSE COMMITTEE

P. O. BOX 255

SIOUX FALLS, SO. DAKOTA 57101

RECKLESS PROSECUTION IN SIOUX FALLS

The prosecution of the Sioux Falls Wounded Knee cases has suffered two major setbacks in the first weeks of trial.

On February 4, before the first trial even began, charges were dropped against Francis Killer, Lessanes Killer, Cheyenne Nichols and Evelyn Deon on grounds that Committee lawyers described "as specious as the charges themselves.

In the second trial, that of Marianne DeCora and Vaughn Dix Baker, presiding judge Warren Urbom of Nebraska ruled in favor of a defense motion to suppress the evidence, reaffirming the reckless abandon with which the government has pursued the Wounded Knee cases. The government had backed down on the first day of trial, February 11, dropping the conspiracy count against Marianne and Vaughn. After the court's decision to suppress, the government further announced that it would drop the conspiracy charge in the next scheduled case against Madonna Gilbert, Lorelei DeCora Means and Tonia Ackerman. The five defendants were arrested on February 27 while traveling in two cars on the road to Wounded Knee.

The testimony of government witnesses during the suppression hearing underscored the overzealousness of the law enforcement authorities at the roadblock. As Judge Urbom affirmed, they acted beyond the scope of the Fourth Amendment in their search of Vaughn and Marianne's car, a Ford.

Witnesses included: Agnes Gildersleeve, one of the owners of Wounded Knee Trading Post, who described the February 27 "break-in"; Bobby Pond, radio dispatcher at Pine Ridge police station, who alerted law enforcement authorities about the "takeover" of Wounded Knee Trading Post and later searched women arrested and brought back to the jail that night; FBI agents Lawrence McGee and Merrill Sherer and BIA policeman Darwin Coats, who manned the roadblock set up on the road to Wounded Knee the evening of February 27. Wayne Colburn, director of the U.S. Marshals Service, was called by the defense. He disclosed the government buildup of surveillance and personnel in "anticipation of an Indian action against the BIA."

FBI Agent James Dick explained his actions on the grounds that the Ford and the travel-all in which Madonna, Lorelei and Tonia were riding, appeared to be travelling together; and the travel-all was "probably involved in the takeover." He recognized the travel-all as "very similar to a vehicle associated with AIM" which was seen both in Rapid City and at the Calico meeting hall earlier in the day.

On the basis of his conclusions and the warrantless search that ensued, the defense moved for an immediate ruling to suppress the "evidence" seized from the Ford, for lack of probable cause for the search.

The government is awaiting word from Washington on whether to drop the burglary and larceny charges or to appeal the suppression decision.

Meanwhile, the court will continue to hear arguments for the suppression of evidence against the three women, and if suppression is denied, will proceed with a bench trial of their case. The defendants agreed to waive their right to a jury trial, recognizing the virtual impossibility of obtaining a fair and impartial jury in highly prejudiced South Dakota.

The trials were originally scheduled by Judge Andrew Bogue (who was removed as trial judge) at one-week intervals, which has proved totally unrealistic, even without jury selection.

The climate in the courthouse leaves no doubt as to the political nature of these trials. A team of marshals, armed with electronic sensors, rudely conduct extensive searches of spectators, legal workers and defendants. There are obvious instances of selective enforcement: One legal worker bringing in a cup of coffee had the cup stirred with a ballpoint pen. On the first day of trial defense attorneys battled with marshals about required searches of attorneys' briefcases; finally, with the intervention of the judge, they are now able to pass to the courtroom without being stopped.

WKLD/OC, Box 255, Sioux Falls, S.D. 57101

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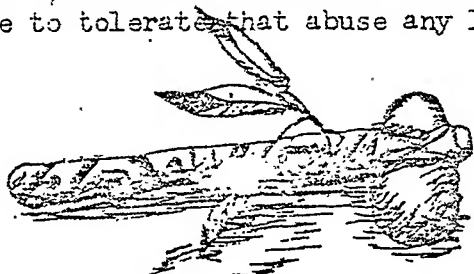
MEANS-BANKS TRIAL OPENS WITH LOOK TOWARD TRADITIONAL WAYS

The trial of Russell Means and Dennis Banks reopened on February 11 after a recess for the tribal election on the Pine Ridge Reservation. Russell and Dennis each delivered deeply emotional opening statements, introduced by a Lakota prayer from Chief Frank Fools Crow.

Russell and Dennis unfolded the story of Wounded Knee, speaking not only to the jury but to the people for whom and by whom the Independent Oglala Nation was formed: the traditional Oglala people. Over 50 tribal elders journeyed from the Pine Ridge Reservation to St. Paul to appear in court in support of the Wounded Knee leaders on trial. Their presence during the opening statements eloquently affirmed the meaning of Russell and Dennis' words.

Russell stressed the Indian philosophy of respect for our brothers' vision. He described the beauty of being a Redman in the western hemisphere and told the history of the 1868 Treaty and how the Sioux, after defeating the United States at the Bozeman Trail, offered as a gift what is now Montana, Nebraska and Wyoming.

Dennis recreated the Calico meetings which precipitated Wounded Knee. He remembered two women, "the true warriors of the Indian society," who asked how long must their children die, their men turn to alcohol, their people lose self-respect. Where, they asked, was the spirit of the Oglala Nation which had stood up against the U.S. military long ago? One by one the traditional chiefs stood up unable to tolerate that abuse any longer.



We are all Oglala people, landowners and traditional people. We have come to a court we don't know which doesn't know us to tell everybody who will listen that we stand with our brothers Russell Means and Dennis Banks. Together we stand with our traditions, our land, our medicine and our treaty rights.

We represent not only ourselves but the Oglala Band, the Sioux Nation and concerned Indian people everywhere. We called our brothers and AIM to help us because we were being oppressed and terrorized. They answered our call. We now call upon all people to honor our people and to honor our treaty rights.

If Dennis Banks and Russell Means go to jail for supporting the dignity of the Sioux Nation and the promises made to us, you must be ready to send us all to jail. If we cannot live with our brothers in freedom according to our ways and tradition, we are ready to join them in the whiteman's prison.

--Frank Fools Crow, Traditional Chief

(The full text of Russell and Dennis' statements is being printed in booklet form, with illustrations, and will be sold through the St. Paul office, 333 Sibley, St. Paul, Minn.)

At one point when Dennis began to recount his introduction to the Pine Ridge Reservation, the prosecution and judge interrupted, challenging for relevancy. Defense attorneys protested and when the judge sustained the challenge, William Kunstler took legal exception for his client, Russell, and Mark Lane took exception to the way in which Dennis was interrupted. Judge Nichol, in an outburst reminiscent of Judge Julius Hoffman, shouted for the marshals to remove the lawyers, along with Kenn Tilsen, who had simply requested a recess because of the disturbance. The three were bodily removed from the courtroom. Soon afterwards, in chambers, Lane and Kunstler proved they were legally correct and Judge Nichol apologized in open court.

The government is expected to call over 100 witnesses in the Mean-Banks case and the defense at least twice that many, projecting the trial way beyond the original estimated length of three to four months. Already, in the first days of trial, one FBI informant who was present in meetings before Wounded Knee has surfaced. The trial was momentarily interrupted on February 19 for Dennis and Russell to represent AIM in the negotiations around the release of Patricia Hearst, daughter of millionaire publisher Randolph Hearst, who was kidnapped by the Symbionese Liberation Army. In exchange for her life, the SLA demanded food for the country's poor.

On February 25, Judge Nichol denied Russell and Dennis the right to waive their presence in the courtroom on February 27 to commemorate the first anniversary of the liberation of Wounded Knee. AIM has called for "all AIM members, Wounded Knee supporters and traditional people to pay homage to the warriors who died at Wounded Knee."

At a dinner honoring the traditional people visiting St. Paul in support of the trial, Russell said:

"On February 27 we will be at Wounded Knee. ...The Oglala people have a mission to tell this world along with every tribe in this nation that have traditional values. I can't tell you how proud I am to be an Oglala and our children and our unborn should feel the same and have the old people with you. It is not over. The traditional Indian peoples of this world are going to endure, maintain, survive and lead.... What I say and do has been said and done before me. I am nothing but a mockingbird."

Caravans from across the plains will head toward the Pine Ridge Reservation for a pow-wow at Calico Hall, the meetingground of the Oglala Sioux Civil Rights Organization prior to the liberation, and a prayer service to honor the dead at Wounded Knee.

MEANS SUES FOR NEW TRIBAL ELECTION

After a landslide primary in favor of Russell Means, incumbent Richard Wilson stole the election for president of the Oglala Sioux Tribe, 1714-1514. The election was tainted with instance after instance of voter rights violations which the Wounded Knee Legal Defense/Offense Committee is now documenting to challenge the election in federal court.

On February 20 Judge Andrew Bogue continued an emergency temporary restraining order (granted February 11) which impounded the ballots and voter registration lists for full examination by neutral and independent observers.

Means' repeated calls prior to the election for outside supervision by independent, neutral observers went unheeded. BIA Commissioner Morris Thompson sent a telegram the night before refusing to intervene. "Tribal elections are tribal matters," Thompson said. The Community Relations Service of the Department of Justice and Senator James Aboureszk's office likewise refused assistance. And the National Council of Churches withdrew their commitment of 40 observers when they could not secure authorization by the Wilson-appointed election board.

On February 8 Russell personally demanded the intervention of the U.S. Commission on Civil Rights, listing district by district the accounts of illegalities which flooded the Wounded Knee Legal Defense/Offense Committee offices on election night. Pending an OK from Washington, the Commission will follow up the preliminary investigation. Dozens of statements have been taken documenting the threats against AIM members and sympathizers, as well as subsequent reprisals for their support of Means. Wilson himself told the press the night before and the morning of the election that if Wilson won, he would personally run Means off the reservation. In Martin, where noneligible voters, including white ranchers, were reported voting, two Indian men have since been terminated from their jobs. In one instance, a youth director who campaigned for Means was terminated for general incompetence, unbeknownst to his supervisor and with no prior complaints about his work. Another youth center employee was terminated for "prejudice" which affected his ability to function.

Other reports of misconduct--all in the Wilson camp--tell that:

- Three women were bribed to support Wilson.
- In Kyle, blank ballots were taken door-to-door to collect votes.
- In Potato Creek, more people voted than there were registered voters for the district; in fact at least 17 ineligibles successfully voted.
- All during election night there was shooting in Wounded Knee and Manderson; and Oglala people were run off the road by BIA police.
- In Pine Ridge, ballots were carried around the hospital for the patients to vote. Yet prisoners in the Rapid City jail were denied the right to cast absentee ballots.

While seeking a new election, a free election on the Pine Ridge Reservation, Russell is not defeated. At a dinner honoring the traditional Oglala people in St. Paul on February 11, Russell said:

"It was a white man's world we were entering and yet, out of respect for the traditional Indian ways, we did not want to run our campaign by white standards. We did it with respect and honor.

"I want to thank the Oglala people for our victory. You see what has happened is that 48% of the people, without me campaigning, without me passing out literature, without me speaking a dirty word, in the traditional Indian way stood up and supported me."

LANE 'LIST' SUMMONED TO GRAND JURY

The grand jury inquiry into the murder of Pedro Bissonette reopened on February 18 in Deadwood, S.D., with attorney Mark Lane heading a list of 17 witnesses called at his suggestion to get a full story of the shooting and subsequent camouflage by the U.S. government.

Pedro was murdered October 17, 1973 by BIA police who claim they were attempting to serve a fugitive warrant after Pedro's failure to appear at a bail revocation hearing. An extensive investigation by the Wounded Knee Legal Defense/Offense Committee within hours of Pedro's death cast serious doubt on the government account. At question was the gun that shot Pedro, the angle of the shot, altered hospital and police records and the very fact whether Pedro was armed.

During the two days of inquiry by Carl Stoiber of the Civil Rights Division of the Justice Department, the grand jury heard testimony highly incriminating against Joe Clifford, the BIA police officer who actually killed Pedro. Not only was he heard to have threatened Pedro's life, but he has a record of merciless assaults, to which victims personally attested.

Other witnesses wove the story of Pedro being hunted down on the reservation all day of October 17, his whereabouts up until the time of the shooting and how his body was stolen from the hospital without permission of the family and with the cooperation of the police. Two nurses from the Pine Ridge hospital testified that the wife of a white farmer by the name of Kirk had the morgue key and personally removed the body, which was then taken to Gordon, Neb. for a clandestine autopsy in the middle of the night. Linking this testimony was Gladys Bissonette, who described the terrorist state on the reservation, epitomized by the way in which Pedro--a friend, supporter and leader on the reservation--was gunned down. The grand jury has recessed for one month, awaiting further fact-finding by the Civil Rights Division.

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WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/BULLETIN #9

April 13, 1974

ST. PAUL — After four weeks of a special hearing on governmental misconduct in the Wounded Knee trial, it is becoming clearer that the government is involved in a conspiracy to cover up their illegal monitoring and suppression of evidence.

The hearing was scheduled to have ended on Wednesday April 10, but on April 6 new evidence was "discovered" and turned over to the defense.

This new evidence consisted primarily of a note, dated March 20, 1973, from Mark Felt, then the number two man in the FBI, to Henry Peterson assistant attorney general in charge of the Criminal Division of the Department of Justice. The letter revealed that Henry Petersen felt the FBI had in fact been engaging in illegal wire tapping. In an effort to convince the Justice Department that it was not true, the FBI appeared to have invented teletypes and false stories. But it was to no avail.

Carl Belcher, chief of the General Crimes Section under Petersen, had been to Wounded Knee. When he was there, talk of information obtained from listening to the telephone was so widespread he thought they had an open line right into the Command Post in Pine Ridge! In fact, no one had bothered to tell him the true facts and based on the stories Belcher had heard about the phone, he gave the FBI in Pine Ridge legal advice to go ahead and monitor the telephone. No contrived story could convince him later that they had not done just that!

Belcher was the first government official to take the stand fully prepared to answer question. His testimony revealed that he had been grossly misled by the FBI, which is ready to lie not only to the American people, but when necessary to the Justice Department as well.

Another high official to testify was Mark Felt who was, prior to his retirement on June, 1973, the Acting Associate Director of the FBI; that is, second in command. His testimony was quite different from that of Belcher. One of the first statements he made after taking the stand was, "I'm not aware of any illegal wiretaps in connection with this matter." The remainder of his testimony was in the same vein. He was shocked that Henry Petersen, could think that an application for wiretapping was based on illegal monitoring of the Trading Post phone, adding that it was not the way the FBI operated. Although at the end of his testimony he admitted that prior to 1968, the FBI had monitored phones without a court order.

Felt's testimony was also in direct conflict with that of Roy K. Moore, Special Agent in Charge of the Jackson, Mississippi office of the FBI, to such an extent that it prompted Judge Nichol to say that Moore's testimony seemed to be "clearly less than candid."

Moore's testimony was like that of all other FBI agents who have testified so far. He did not recall much, became easily confused; but was absolutely sure that the phone was not monitored, lying to the Department of Justice in saying that there was no wiretapping. Like Felt, he resented violently the allegation that the phone was tapped illegally. One interesting feature of Moore's attitude is that he was the agent in charge at Wounded Knee who wanted to wipe out the village "to save lives". When J. Edgar Hoover died Moore's name was mentioned as a possible replacement.

Mr. Trimbach's record might not be as impressive as that of Moore or Felt, but his testimony is typically that of an FBI agent. The local director of the FBI took the stand a second time to explain some of his previous testimony that led the defense to file a motion of perjury against Trimbach. This week a second subpoena was served on Trimbach because it was revealed that he lied again under oath. The first and second lies are partly about the wiretap application. Trimbach has said he never saw one, until he was shown a copy of an application that he himself had signed. This week a second application for wiretapping the phone at the Trading Post was discovered. Trimbach's signature appears at the bottom. Judge Nichol is very disturbed and has said that the government, who has the burden of proving there was no illegal monitoring, has not proven much so far, if anything.

Evidence of governmental misconduct surfaces every week. Pieces of evidence have been tampered with. Material relevant to witnesses testimony is released long after they have testified and only when subpoenaed. Information has been withheld from the defense under pretext of it being a "confidential source" of information. There are unexplained missing pieces of evidence. The massive contradictions between FBI agents and the Justice Department speak for themselves. The pattern of governmental misconduct in this case is no different than in other cases, whether it be Watergate, Stans-Mitchell, Ellsberg, etc.

TRIBAL INNAUGURATION

The Tribal innauguration of Richard Wilson and members of the Tribal Council was held as scheduled in Pine Ridge, South Dakota Monday night, April 8th. Three Tribal Council members elect, however were prevented from attending the ceremony by BIA police. Severt Young Bear, Marvin Ghost Bear, Frank Starr, all elected to the council and to have been sworn in that same evening were excluded from the proceedings along with several of their supporters. They were told that AIM and its supporters were not wanted at this innauguration. Another council member walked out of the hall in protest of this action. The excluded council members were sworn in the next day at a private ceremony.

SIOUX FALLS REPORT

While the other scheduled Wounded Knee Cases have been temporarily halted pending a decision on the dismissal motion in St. Paul, pre-trial hearings on the Custer Cases begin on Monday April 15 in Minnehaha County Court House, Sioux Falls, to be heard by Judge Joseph Bottum. There will be three motions presented the first week.

A motion will be presented on Monday to dismiss all the Custer indictments on the grounds of "massive publicity prior to the calling of the Grand Jury". There have been nine newsmen from across the state of South Dakota subpoenaed as well as news material from NBC, CBS, ABC, Associated Press and United Press International among others. Also on Monday, Dr. Jay Schulman, noted authority on Jury selection, will testify.

On Tuesday a demurrer to the indictments will be submitted. This means Defense attorneys contend that the state of South Dakota had no jurisdiction to issue any indictments in these cases because Custer is still within Sioux Territory according to the 1868 Treaty. Vine Deloria Jr. will testify to this motion. Deloria, author of Custer Died For Your Sins, and other books, is an attorney who has done extensive legal research on the historical aspects and current application of treaties signed with the U.S. government and the violations of those agreements.

The third motion to be submitted in the Custer pre-trial hearings is a motion to suppress an allegedly unconstitutional identification line-up, used during Grand Jury proceedings to identify defendants in the Custer incident. Sheriff Ernest Pepin will testify in this motion.

The federal cases will begin when the hearing is over; April 25th projected date.

FILM SHOWING:-

There will be a film showing benefit for the Wounded Knee Defense and the Minnesota Alliance Against Racist and Political Repression, held at: Sabathani Center, 24 E. 31st Street Minneapolis on April 26th, 8:00pm Martin Luther King Center, 270 Kent (just off Dale Street), St. Paul on April 25th, 7:30pm.

Films shown will be: "Forty-seven cents" the Story of the Pitt River Indians' struggle to regain their lands, and "Teach Our Children" a recount of the Attica Prison rebellion and what it means for all people; Donation \$1.00. SPREAD THE WORD.

NOW IS THE TIME -

Wounded Knee Legal Defense/Offense Committee, located now in St. Paul, Sioux Falls, Pierre, and on the Reservation continues its vital work of legal defense, distributing information, and building mass support around the Wounded Knee liberation and the struggles of all Indian people. If the Wounded Knee cases are dismissed, the work will in no way be ended.

THESE FACTS REMAIN:

1. Freeing the 130 Wounded Knee defendants will not free 140 other people indicted for related incidents (such as the Custer cases).
2. Dismissing the Wounded Knee cases does not change the conditions of Indian people's lives. The Treaty must be honored. The Three Demands must be attained.
3. Mass public support must continue; to show the government that we will not stand for their actions against the original land owners of this country; but that we will stand with Indian peoples to obtain their treaty rights.

The WKLD/OC is currently operating at a large deficit. Due to the many cases and the spreading out of the trials to four locations, the committee is being forced to maintain four legal teams, four offices and housing in each of the four cities to accommodate the Committee staff, defendants and their supporters. NOW MORE THAN EVER WE ASK YOUR HELP IN SUPPORTING THE WKLD/OC EFFORTS AND THE DEMANDS OF ALL INDIAN PEOPLE. Without money our efforts of providing information, bringing forth the Treaty issue, and maintaining our defense work can not continue.
WE MUST STAND TOGETHER

Please send contributions to:

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333 Sibley Rm 605
St. Paul, Mn. 55101

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TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

April 3, 1974

ST. PAUL - This second week of the hearing on the government's misconduct dismissal motion in the trial here of Dennis Banks and Russell Means for their participation in the Liberation of Wounded Knee last year, has begun to reveal the way the FBI conducts surveillance against those who protest the U.S. government's racist, repressive policies.

For the first time, the FBI has been ordered by Attorney General William Saxbe to open its file on informants to prosecuting attorneys R.D. Hurd, David Greenapp, Earl Kaplan and William Clayton. The question remains, however, as to how much will be seen of their national spy system under the limits set by Saxbe and FBI director Clarence Kelley.

The order to open the files came after local FBI director Joseph Trimbach admitted on the stand that the FBI had had informers from Feb., 1973 to the present infiltrating the defense. "Invasion of the defense camp" by the government can be grounds for dismissal of all charges, Judge Nichol has indicated.

After Trimbach's admission, Nichol ordered the FBI to produce its file of informers so prosecuting attorneys can compare names in the file with names of people working for the WKLDO. However, this peek at the file of finks is extremely limited.

Only the four prosecutors will be able to look at the file in which all the informers names are coded. They will then decide if there is anything relevant in the file. They then must clear releasing that information with both the informer and Saxbe. Only then can they pass it along to the defense. If either the informer or Saxbe vetoes releasing the name and information, then the defense will not be allowed to see it. Judge Nichol has indicated in that case, he will consider dismissing all the charges.

But even this limited look did not come without a fight. The FBI was not about to surrender one of its most useful tools and refused initially to submit to Judge Nichol's order to open the informer file under any conditions. They finally said they would if the Attorney General ordered it.

Judge Nichol did not accept the FBI's initial refusal to comply. He deplored the "necessity," he said, "in a democracy, to have a national spy system," and then he gave the FBI an ultimatum: if Attorney General Saxbe refuses to comply with the court order, the case will be dismissed. He set March 29 as the deadline.

Faced with that ultimatum, the FBI and the repressive system it represents were forced to open the informer file. The government was in a real dilemma. The case could be dismissed if the file was not produced. It did not want the case dismissed nor surrender the informers' file.

Put times have changed. The people of this country have had it with the constant lies this government and its repressive police put forward in the name of "law and order." Judge Nichol has often commented, during the course of this hearing that "this is a search for the truth."

A search for truth, though, when aimed at the FBI, is a hard course to follow. And even when they were forced to bend to the changing times and Judge Nichol's order, they set severe limits, as explained before which still leave questions as to how much of the truth we will actually see.

April 3, 1974

Throughout this trial and this hearing, the FBI, which has over 315, 981 documents in its Wounded Knee file, has failed to produce evidence, tampered with evidence, rarely complied with Judge Nichol's discovery order, "lost" pieces of evidence, lied to the Judge through its local director when he asserted that the only phone in Wounded Knee was not tapped, intimidated defense witnesses and on and on.

It was brought to the court's attention March 25 that one of the major defense witnesses, Joe Pourier, in this hearing, has been physically threatened in Rushville, Neb. a few miles south of the Pine Ridge Reservation.

Pourier, who works for the Bison State Telephone Co. on Pine Ridge, installed the only phone inside Wounded Knee at the Trading Post, and put in an extension to that phone at the main FBI roadblock outside the village. He first exposed the FBI wiretapping operation.

Pourier was told he would be shot "between the eyes" by five members of Tribal Chairman Dick Wilson's goon squad. Wilson is directly responsible to the Bureau of Indian Affairs. The BIA is part of the Dept. of Justice as is the FBI. Wilson also cooperated fully with the FBI and the U.S. Marshalls last year to break the Liberation effort at Wounded Knee. It was BIA police who killed Pedro Bissonette last October. He was a leader of the Oglala Sioux Civil Rights Organization and of the Liberation effort.

As defense attorneys and people on Pine Ridge do not trust the BIA police, the U.S. Marshalls or the FBI, they suggested to Judge Nichol that he deputize members of the American Indian Movement to protect Mr. Pourier and his family. The judge is still considering the suggestion.

Another example of how the Dept. of Justice views justice came up this week. Five months ago defense attorneys had asked the government to produce the logs kept by federal marshalls of intercepted radio communications from inside Wounded Knee.

The prosecuting attorneys were assured by the U.S. Marshalls that no such logs existed. Last Saturday, March 23, the logs were "mysteriously" discovered and turned over to the defense.

Under our Constitution defendants must be given the opportunity to prepare for their defense. In this case, the government has made it extremely difficult, if not impossible, for the defense team to adequately prepare by withholding evidence or reluctantly producing documents of vital importance in the middle of the trial - and then only when such documents were subpoenaed.

Ten of the government witnesses to take the stand this week were FBI agents who had been assigned to Road Block #1. All admitted having listened in on conversations from the Trading Post, using the "extension" at the road block. Some pretended to know nothing of the purpose of that road block phone. (The government has tried to claim it was there for negotiating purposes.)

One proudly declared that he felt it was his duty to overhear conversations. All said they had never received instructions as to the use of that extension and one asserted he told a gathering of some 20 to 50 agents in Pine Ridge that they should not monitor the phone, emphasizing "we should not listen in to that phone, we don't want any accusations of illegal wiretapping."

That same agent added he had no knowledge of any agents monitoring that phone. During the testimony of this last agent it was revealed that the Dept. of Justice had decided not to request a court order for wiretapping.

When Trimbach, local FBI director, received reports of monitoring from his agents; he took no disciplinary actions against them. It is a federal crime to intercept conversations without a court order.

TRIAL NEWSLETTER/BULLETIN

A.I.M. NATIONAL OFFICE:

The National AIM office is now located at 553 Aurora, St. Paul which is the same address as the St. Paul AIM office. We have been asked by National AIM that any correspondence sent to AIM at the St. Paul address should be designated National Office, AIM OR St. Paul AIM. This would make the mail processing there much easier.

SIOUX FALLS REPORT:

The trial of Madonna Gilbert, Lorelei DeCora Means, and Tony Ackerman have been suspended while the hearing on the dismissal motion continues in St. Paul. The trial in Sioux Falls is currently scheduled to begin the following day after a decision is reached on the motion in St. Paul.

OGLALA LAW SUIT CHALLENGES WILSON RE-ELECTION

A complaint challenging the legality of the February 7 tribal reelection on the Pine Ridge Reservation has been filed in Federal Court on behalf of Russell Means and 28 named voters of the Oglala tribe.

The complaint charges that tribal president Richard Wilson and his agents, deprived the Oglala people of a free election contrary to their due process and equal protection rights under the 1968 Indian Civil Rights Act and the Civil Rights Act of 1871 and seeks a new independently supervised election within 45 days of judgement.

The complaint names Wilson, many individuals of the tribal council, tribal election board, and others of the Wilson Administration in a conspiracy to assure Wilson re-election through deliberate disregard for tribal election procedures, violation of the Indian Civil Rights Act and intimidation of anti-Wilson proponents who would stand up for their political and civil rights.

Wilson used the same methods to retain power as he has for the past 2 years - fraud and terrorism, backed by the federal government. Russell Means, as the plaintiff, in announcing the suit, said: "It was a huge mistake to believe that the people of Pine Ridge could get a fair and free election without supervision by independent, neutral observers. The election is just additional proof that Wilson's is a puppet government; that his allegiance is to a few at the expense of most of the Oglala people, keeping them in poverty, without jobs, without adequate medical care and with few hopes for the future under the oppression that Wilson had created."

These are the basic causes of the 1973 Wounded Knee incident. The Oglala people demanded freedom from oppression. They claimed their sovereignty under the Treaty of 1868 and call for a fairly elected leader who will act according to the will of his people.

INFORMATION BLACKOUT BY ESTABLISHMENT PRESS AND MEDIA

All through the trials, except during a few key days, the policy of the establishment press has been to ignore the struggle Indian peoples have been waging in the courts and on the reservations. This policy is not only directed towards Indians, but generally towards issues that confront the policies and practices of the U.S. government and corporate interests.

This is evidenced by the blackout of or distorted coverage of the coup in Chile, the Attica massacre, the struggles of the Tuscarora in North Carolina, many strikes by labor and many others.

The WKLD/OC has always urged people to write to the national media and their local press asking for fair and detailed coverage. More direct action is needed now. We urge support committees and concerned organizations to begin organizing picket lines and other demonstrative actions at facilities of the national news media to bring pressure on the policy-makers to provide space and air time in order to present the facts to the people of the U.S.

It should be made clear that the protest is not being directed towards reporters, but only towards the policy-makers. The protests should be maintained on a regular basis until we receive some response.

It may be in your area that another means of pressure should be tried. Please respond in any way which you feel will be most effective.

April 3, 1974

THIS IS THE TIME

The WKLD/OC is currently operating at a large deficit. Due to the large number of cases (over 300) and the spreading out of the trials to four locations -- St. Paul, Sioux Falls, Pierre, Lincoln -- the Committee is being forced to maintain four legal teams, four offices and housing in each of the four cities to accommodate the staff, the defendants and supporters.

The purpose of Wounded Knee was to protest the police state of Dick Wilson and assert the too long forgotten treaty rights of the Teton Sioux Nation. Our many supporters must redouble their efforts of time and money if Wounded Knee and those who died there, Buddy Lamont, Frank Clearwater and Pedro Bissonette, are to be vindicated.

This is the time for you, the country and the world to stand up in the fight against the repression of truth and Native American rights. The people of Wounded Knee and all Indian peoples need your help.

SHOW YOUR SUPPORT

The WKLD/OC has been conducting a letter and telegram campaign in support of the dismissal motion. We urge everyone to send a telegram or letter to Judge Fred Nichol urging that he grant the defense motion for dismissal of the charges against Russell Means and Dennis Banks on grounds of government misconduct which includes FBI wiretapping in violation of the 1868 Ft. Laramie Treaty.

Send to:

JUDGE FRED NICHOL
Fed. Court Bldg.
Courtroom 7
St. Paul, Minn. 55101

Please send a copy to our office also.

Response to our appeal so far has already been overwhelming as petitions, letters and telegrams arrive from individuals and organizations all over the country and internationally.

If you haven't sent in the coupon below, please do so.

PLEASE CONTINUE TO SEND ME THE TRIAL NEWSLETTER/BULLETIN

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CITY _____ STATE _____ ZIP _____

ENCLOSED IS A DONATION OF \$ _____ TO HELP KEEP THE TRIAL N/B KEEP GOING.

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6-3-74

Date received

5-30-74

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Method of delivery (check appropriate blocks)

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Date

Date of Report

Dictated _____ to _____

Date(s) of activity

Transcribed _____

Authenticated
by Informant _____

Brief description of activity or material

"TRIAL News letter" Wounded Knee
Legal Defense / offense Committee
DHD 3/10/74

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE.
VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

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TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/ BULLETIN #5

March 10, 1974

TRIAL REPORT

The trial of Dennis Banks and Russell Means charged with conspiracy, burglary, assault, and other charges stemming from the liberation of Wounded Knee has produced some interesting developments this week.

Along with Father Manhart, catholic missionary of Wounded Knee and 14th witness for the prosecution, four unexpected witnesses took the stand and, for the first time in history, the FBI files on Wounded Knee were ordered impounded by Judge Nichol.

All these new developments were spurred by part of Father Manhart's testimony relative to a resolution signed by the residents of the District of Wounded Knee.

Under direct examination by R.D. Hurd, prosecution attorney, Father Manhart testified that he had been forced out of his church and sent to the residence of Mr. Gildersleeve where all the so-called "hostages" were told by Dennis Banks that they should not consider themselves as hostages, but more like prisoners of war: and more important, that they were free to go if they wanted to.

Manhart testified also as to his observations and activities in the 8 or 9 days following February 27, 1973. He observed trenches, visited members of his parish, observed a gunfire incident while moving his car, attended a community meeting at which an invitation to AIM members to enter the community was issued, saw Means and Banks talk to reporters, arranged for a meeting of the Wounded Knee people with the Tribal Council, and saw a fire at the trading post.

Under cross-examination by William Kunstler, Manhart would not characterize any of his activities as missionary work. He has been a pastor of the Wounded Knee catholic mission for over 20 years! He knew the significance of the Sun Dance, drums, pow-wow, but when asked about the Sweat Lodge he asserted that it was used for religious and bathing purposes, refusing to say that bathing would be a sacrilege.

When Manhart was questioned on the resolution signed by the residents of Wounded Knee, he testified that some of the signatures were forgeries. The resolution reads as follows: (We are including the resolution in its entirety):

WE THE UNDERSIGNED RESIDENTS OF WOUNDED KNEE, SOUTH DAKOTA,
HEREBY MAKE THE FOLLOWING RESOLUTION:

WHEREAS, the United States Department of Justice has the District of Wounded Knee, South Dakota surrounded by the agents of the Federal Bureau of Investigation and United States Marshalls, and

WHEREAS, we the undersigned residents of Wounded Knee, South Dakota are presently engaged in peaceful and meaningful discussions concerning the events that have transired here during the last few days and in particuliar, the question of there being any necessity for the United States Government, through the United States Dept. of Justice remaining in Wounded Knee any longer, it is therefore,

RESOLVED that the U.S. Dept. of Justice and their agents and servants cease and desist from firing upon our guest members of the American Indian Movement and members of the news media who are here at our invitation and that no persons who are present here now or who may come in the future be harrassed or intimidated when they are here at our invitation. That as these discussions continue, we will advise the representatives

of the United States of our progress as to whether we feel that there is any need for the United States Dept. of Justice to remain and it is further
 RESOLVED, that prejudice does now exist in the manner in which the United States Dept. of Justice is dealing with the events here and that prejudice is directed against the Indian citizens and their Indian guests who are here, in that amongst other things, the white citizens are being permitted to go and come at will, but the Indian citizens are not permitted the same freedom. We therefor demand that the United States Government immediately permit the Indian citizens and their guests to go and come at will.

Dated: March 3, 1973

During Manhart's examination it developed that the copy of the petition furnished by the FBI under the discovery order to produce documents related to the case was not a copy of the original, but a copy of a copy on which handwritten notes had been added by FBI agents and BIA policemen. The apparent alteration of the documents engendered much of Manhart's confusion in thinking that some of the signatures were forgeries.

The defense strongly objected to this and demanded that the original be produced. Hurd said that he did not know where the original was but was going to ask the FBI to investigate the matter.

At this point Judge Nichol became quite irritated and said: "I used to think the FBI was one of the greatest bureaus that ever came down the pipe. But I think it has deteriorated, and I don't care how many FBI agents are in the court room listening to me, I think it has deteriorated." He then ordered that the FBI files pertaining to the Wounded Knee cases, "shall be kept intact in toto and not removed, altered, destroyed or otherwise disturbed from their present location and condition until further order from this court."

The original petition was finally "discovered" in the FBI files where it had been since March 3 of last year and brought to court along with four FBI agents who came to give some explanation on their "doctoring" of a piece of evidence. Judge Nichol considered all this a very serious matter. "It seemed to me," he said, "it was a holding back of information that should have been produced earlier and when it was produced it was not all produced." Sending a photocopy instead of the original "looked to me as if it was almost deliberate", Nichol said.

On March 8th, court revealed that the FBI had contacted Nichol regarding his order and U.S. attorney advised that the FBI files contained 315,981 serials in 5239 volumes each serial at least one page long but often much longer. This revelation came on the heels of the disclosure in Washington D.C. that the FBI had engaged in a course of deliberate harassment and agent provocateur activity against the Black Panthers and other organizations. The activities described against the Panthers parallel closely the kind of activities that the government has engaged in against the American Indian Movement. It is hard to believe that any organization could gather 315,981 items against any organization in a period of approximately one year, yet that is what the government claims. The next fight will be to force the disclosure of this material which because of its volume presents unbelievable problems.

The last two witnesses to take the stand this week were Rev. and Mrs. Lansberry, pastor and missionary of the Church of God in Wounded Knee. Rev. Lansberry testified he had heard some noise on the night of Feb. 27, 1973; that he had seen shadows of people carrying what he thought to be possible rifles. The 68 year old reverend cannot be considered an "eye witness". He left Wounded Knee the same night and returned on May 9th.

Mrs. Lansberry described for the court the three bedroom home they lived in in Wounded Knee which included among other things a portable organ, a hi-fi, an electric sewing machine, three electric typewriters, a washer and dryer. On the Pine Ridge reservation, where Wounded Knee is located, most Indian people don't have water or electricity in their homes!

JURY TAMPERING:

On Wed. March 6; it was brought to the court's attention that approximately 8 of the jurors had received in the mail an anonymous brown paper envelope containing a pamphlet published by the John Birch Society called "Renegades, the Second Battle of Wounded Knee" and Pope Pius XI encyclical on "Atheism and Communism". The judge ordered an investigation and complimented the jury for bringing the matter to his attention. The FBI has apparently arrested a man from Albany, Mn. where the material was mailed from.

REPORTER HARRASSING:

On Friday morning an incident took place in the court room involving the editor of this newsletter, who has since the beginning of these trial proceedings been sitting in the press section of the court room in order to receive clear information. Although she is not an "accredited member of the press" she is doing press work and was welcomed by the reporters sitting there. Then for some reason the U.S. Marshalls decided that as she did not have a press card she should be in the press box and removed her from there saying the reporters had been complaining.

Mark Lane, attorney for the defense immediately drew up a petition stating that "accredited members of the press" did not have any objection to the defense Newsletter editor sitting with them. All reporters signed the petition which was then brought to Judge Nichol. Nichol remarked that the reporters signed the petition because the Newsletter editor was pretty and they liked to sit with her.

The staff of the Wounded Knee Legal Defense/Offense Committee Newsletter sees this incident as part of the continued harrassement of the defense team by the government.

SIOUX FALLS TRIAL REPORT

The direction of the Wounded Knee trials in Sioux Falls shifted this week on an agreement by Warren K. Urbom that he would be the "Wounded Knee Judge." This came after the defense team suggested to Urbom that the Eighth Circuit court of Appeals' decision to have simultaneous trials in two or more locations hundreds of miles apart would make it impossible for the defendants to receive even the hope for a possibly fair trial. Defense also pointed out that procedure suggested for multiple trials would mean three years before the last cases were completed. Judge Urbom was told by the Defense team that trial time could be shortened to approximately one year if he agreed to handle the cases. This prediction is based on the belief of many that a number of cases taking weeks before juries because of legal questions could take only days in a court trial before a Judge, called bench trials.

Urbom's assignment means another move by at least part of WKLD/OC this time to Lincoln, Nebraska where Urbom regularly resides as Chief Judge of the Federal District Court. This move is scheduled to take place the first week of May after completion of the case currently on trial in Sioux Falls.

Oral arguments are being heard the week of March 10 on defense motion to suppress evidence against Madonita Gilbert, Lorelei DeCora Means, and Tonia Ackerman who were charged with Burglary and larceny on Feb. 27, 1973. If the motion is lost we will proceed with a bench trial on March 27; otherwise the defense will prepare another case of its choice for trial on that date.

For the next two weeks government and defense attorneys will confer to evaluate 120 cases the government has thought to prosecute with the goal of paring down the number to a reasonable case load.

The Committee is currently embroiled in legal battles in state court over the 19 cases arising from the Feb. 6, 1973 incident at Custer, South Dakota. The cases had been ordered consolidated under Judge Bottum, circuit judge in Rapid City; trials to begin April 15. All the cases, however, have not been included and despite appeal to the state supreme court, we are forced to argue pretrial motions on March 12 before Judge Fosheim from Huron. The pretrial motions will be held in Pierre. An attempt will be made to remove Fosheim on writ of prohibition alleging his prejudice toward the cases. Fosheim presided over the first bond reduction hearings in Sept. where he upheld many exorbitantly high bonds set against the Custer defendants.

On March 12, defendants will move to set aside the indictments on the grounds that they have been deprived of due process rights to challenge prejudice of the grand jury in Custer County which prosecution admits can not give the defendants a fair trial.

NATIVE AMERICAN DINNER COMPLETES SUCCESS OF WOMEN'S VIGIL:

When a group of 30 women from the Twin Cities gathered on Feb. 27th to organize a women's support group for Wounded Knee, it was agreed that more public attention was needed for the 84 women facing Federal, state and tribal charges stemming from the Liberation of Wounded Knee.

Representing organizations such as the Twin Cities NOW, St. Paul NOW, the YWCA of both cities, Women's Equity Action League, Minnesota Feminists, WIL, Women's Union and Association of Universalist Women, the group also included women who have experience in political organizations.

As a first effort, the coalition decided to sponsor a vigil at the St. Paul Federal Court building in support of the women defendants, March first. Fifty people participated in an hour-long prayer service led by Ms. Elizabeth Deere, a Roseville resident. The Indian Youth drum, the circle of participants and various press people heard Ms. Deere and Faith Traversie, mother of Madonna Gilbert offer prayer for the defendants, for the end of political repression and for restoration of the rights of Indian people. Flowers were handed to Madonna Gilbert and expressions of personal support were quietly addressed to her in the name of all present.

A dinner followed in the cafeteria of the St. Paul YWCA where over four hundred friends and supporters were served a meal of turkey, fish and wild rice.

Films, a short presentation by guests from the Native American Ensemble, and speeches by Madonna Gilbert and Pine Ridge resident Gladys Bissonette, made the evening full; a scene of deep involvement, a communing with the good spirits who hovered over all and within everybody.

VISITING WINNEBAGOS

Eight students from a Native Awareness class in the Public School, Winnebago Reservation, Winnebago, Nebraska were in St. Paul this past week to observe the trial of Dennis and Russell. The students came with video equipment, cameras and tape recorders to gather information to bring back to their community. Upon returning home the class plans to make presentations to the school, the tribal council and the community along with a student panel which will discuss the trial, events leading up to the trials and the effects on all Indian people.

INTERNATIONAL DINNER

Another expression of international support for the Wounded Knee defendants was shown on Saturday March 9 when the Third World Coalition at the U of M in Minneapolis sponsored an International dinner benefit for the defense. A capacity crowd had a meal of Brazilian, Chinese and Greek food and listened to Clyde Bellecourt, Tonia Ackerman, and Mark Lane. This was another show of world wide solidarity with the struggles of Native Americans. Both the Sioux Falls and St. Paul WKLD/OC as well as St. Paul AIM have been receiving hundreds of letters and petitions of support from people all over the world stating that they fully support the just demands of Indian people for their rights to self-determination.

SHOW YOUR SUPPORT FOR THE DEFENDANTS AND ALL INDIAN PEOPLE

CONTACT SIOUX FALLS OR ST. PAUL WKLD/OC FOR THINGS TO DO

IF YOU WOULD LIKE TO RECEIVE THE COMMITTEE NEWSLETTER FROM SIOUX FALLS
PLEASE RETURN THIS COUPON TO: WKLD/OC Box 255
Sioux Falls, South Dakota 57101

Please send me your committee Newsletter:

NAME: _____ ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

ENCLOSED IS A CONTRIBUTION _____

(Mount Clipping in Space Below)

Native American outlines Dakota's plight

By Jim Stebinger and Pat Healy
DB Staff Writers

"The state of South Dakota has been declared a war zone between the white people and the local Indians," said Toni Ackerman as she outlined the problems of the Dakota Indians yesterday in a Meyerhoff Park speech.

An Assiniboine Indian now living in Sioux Falls, S.D., Ackerman is on trial for her role at the Wounded Knee takeover last year. Lorelie DeCora Means, sister-in-law of American Indian Movement (AIM) leader Russell Means, Madonna Gilbert and Ackerman are charged with burglary and larceny.

Ackerman castigated passers-by and the some 50 listeners in Meyerhoff for their indifference to the Indian plight.

"I realize this is election week, and other things are going on. But people have been killed fighting for what they believe, for a way of life. I look around me today and I see total apathy. No shit," Ackerman said.

Trembling voice

In a voice trembling with emotion, Ackerman spoke haltingly and tended to wander as she gave examples of unfair treatment of the Dakota Indians.

Describing her own arrest, Ackerman said, "We were getting gas on the road to Wounded Knee. I and my two sisters were wearing ribbon-work and jewelry. The police took everything from us, and charged us with looting the Wounded Knee Trading Post. We were five miles away. We weren't even there."

Earlier she had told the Daily Bruin, "You're asking me questions I can't answer," when questioned why the team of federal marshals, FBI agents and a Bureau of Indian Affairs agent had arrested her.

"The policemen just stood there. The marshals did the dirty work, including beating us up," Ackerman said.

Ackerman cited an incident at the trial of five Indians who were arrested for "peacefully" protesting against the unjust racist system that cares for our people in South Dakota. When the judge came in (to the courtroom), the people refused to stand, because they could not respect a man who wouldn't give them their rights.

"The judge called in the tactical squad. They came equipped with mace and everything. They locked the doors and said, 'Everybody get out.' How can they leave when the doors are locked?" she asked. Ackerman claimed the squad's "attack" put eight people in the hospital.

(Indicate page, name of newspaper, city and state.)

p.10 UCLA DAILY BRUIN
LOS ANGELES, CA.

Date: 5/10/74
Edition: Friday
Author: Jim Steibinger &
Editor: Pat Healy
Title: Stephen Ainsworth

Character:

or

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Submitting Office: Los Angeles

☐ Being Investigated

70-7253-334

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MAY 11 1974	
FBI - LOS ANGELES	

A

Slow genocide

Accusing the government of acting on the premise that "once again the Indian has to be eliminated," Ackerman said, "Genocide is taking place slowly. If you come on the reservation you won't see it happening. Stop at Indian Joe's and see the real live Indians do bead-work. But then what the white trader buys for five dollars he will sell for five times that much. far

"The trader at Wounded Knee grossed \$180,000 last year from the Indians. Now he's testifying in court, trying to paint the picture that we really ripped him off. Our lawyers are looking over his records. Our lawyers will show him up for what he is," Ackerman said.

She also criticized judges for setting excessive bail.

"Being an Indian, I know what it is not to have money. Indians go to jail because they can't pay the bail. The judge doesn't care. As long as he can put an Indian in jail, it's a good day for him," she claimed.



INDIAN RIGHTS — Toni Ackerman, an Assiniboine Indian on trial for activities in the Wounded Knee takeover last year, spoke on campus yesterday about "genocidal" moves against Native Americans, citing activities in South Dakota as examples.

F B I

Date:

5/9/74

Transmit the following in _____
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(Priority)

TO: DIRECTOR, FBI

FROM: SAC, LOS ANGELES (157-9705)

RE: RUSSELL CHARLES MEANS;
DENNIS JAMES BANKS
CIR - BURGLARY; ET AL;
WOUNDED KNEE LEADERSHIP TRIALS
ST. PAUL, MINNESOTA

rebutel dated 5/7/74.

Transmitted herewith to the Minneapolis Division
are the following FD-302's:

- (1) Original FD-302 reflecting interview of [redacted] by SA's [redacted] and [redacted] on 5/2/73.
- (2) Original FD-302 reflecting interview of [redacted] by SA's [redacted] and [redacted] on 5/11/73.
- (3) Original FD-302 reflecting interview of [redacted] by SA's [redacted] and [redacted] on 5/17/73.
- (4) Copy of "Three Days in Hell" by [redacted] furnished SA's [redacted] and [redacted] on 6/7/73.

2 - Bureau (AM-SD-RRR)
2 - Minneapolis (AM-SD-RRR) (Encl. 8)
④ - Los Angeles
(2 - 157-9705)
① - 70-7253
(1 - 157-8687)

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(8)

GCW *Jura*

Approved: _____
Special Agent in Charge

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70-7253-335

LA 157-9705

- (5) Original FD-302 reflecting interview of [redacted] by SA [redacted] on 6/13/73.

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- (6) Interview of [redacted] by SA's [redacted] and [redacted] on 6/19/73.

For information of Minneapolis Division, another interview of [redacted] by SA's [redacted] and [redacted] on 3/28/73 is maintained in Minneapolis file 70-6832.

- (7) Original FD-302 reflecting interview of RALPH E. ERICKSON, former Deputy Attorney General, by SA DANIEL J. HURLEY on 3/14/74.
- (8) Original FD-302 reflecting interview of RALPH E. ERICKSON, former Deputy Attorney General, by SA HURLEY on 3/14/74.

It is noted Los Angeles furnished the Minneapolis Division under Minneapolis file 70-6832-Sub P, with another original FD-302 interview of RALPH E. ERICKSON as an enclosure to Los Angeles airtel to Bureau and Minneapolis dated 12/7/73.

The enclosed FD-302s are believed to be all available in Los Angeles Division reflecting interviews of potential prosecutive witnesses in any Wounded Knee related cases.

Date prepared

5/8/74

Date received

5/8/74

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☐ by telephone

☐ by mail

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Date

Date of Report

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Date(s) of activity

4/23/74

b6
b7C
b7D

Dictated _____ to _____

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Authenticated
by Informant _____

Brief description of activity or material

Wounded Knee Trial Newsletter

4/23/74

File where original is located if not attached

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE.
VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

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Remarks:

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FBI - LOS ANGELES

TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/BULLETIN #10

April 23, 1974

ST. PAUL - After four weeks of hearing on governmental misconduct in the Wounded Knee trial, Judge Fred Nichol refused to grant dismissal of the charges against Dennis Banks and Russell Means although he recognized that the FBI had illegally wiretapped the only phone during the siege of Wounded Knee.

Throughout the hearing the judge expressed his strong disapproval of the FBI and their illegal activities, but when the time came last Wednesday to restore some justice for the Indian peoples of this country he failed to do so.

The government had claimed that the phone used by the FBI to monitor conversations had been installed for the purpose of negotiations. "It seems unbelievable," the judge commented, "that a phone for negotiations would be unknown to both the chief government negotiator and the attorneys for the Indians in Wounded Knee. The sole use of the roadblock phone was for intercepting and monitoring and this monitoring constitutes illegal interception."

Nichol refused to dismiss the case and instead ordered suppression of evidence the government may have obtained through monitoring.

He said he would keep an eye on both the FBI and the prosecution in the rest of the trial but refused to cite for contempt Joseph Trimbach, special FBI agent in charge of Minnesota and the Dakotas, who "made specific assurances to this court" that there was no wiretapping. Nichol bent backwards far enough to accept Trimbach's explanation that he had 'forgotten' about the monitoring.

The judge also criticized the prosecuting attorneys for their "negligent failure" to comply with the order that the government turn over to the defense the evidentiary material it plans to use. He added it "does not mean the FBI escapes reprimand".

The FBI "failed as a servant of the law", Nichol said, and its behavior "brought this court to the brink of dismissal of the case." But he made sure not to seep over the brink! "If further misconduct occurs," Nichol later commented, he would "entertain a renewal of the motion to dismiss."

Mark Lane commented after the decision that "if the judge thinks what he's seen here is governmental misconduct, it's only the tip of the iceberg." The defense lawyers are preparing to bring more evidence of that misconduct and Lane predicted that "this case will never go to the jury."

The trial however, is scheduled to resume on May 1st and the jury has been called back for that day.

During these four weeks of hearing, Judge Nichol had shown a great deal of courage in forcing the FBI and the Department of Justice to abide by the laws they are supposed to enforce. Nichol impounded, for the first time in history, the FBI files relative to this case. Unfortunately, his courage disappeared at the end when he could have proven that his concern for justice was not only in words but also in action.

SIOUX FALLS REPORT - CUSTER CASES

In the Pre-trial hearing held last week in Sioux Falls, South Dakota concerning the Custer Cases, all three pre-trial motions were denied. Because the motions were denied on April 22nd, the jury selection has begun on Monday for the Custer defendants, Dave Hill, Lou Beane, Sara Bad Heart Bull, Ken Kindell, and Bob High Eagle. A defense motion was granted by the court requesting individual voir dire (screening) of prospective jurors to show possible blatant prejudice against Native Americans. The jury selection process for the Custer cases is expected to take two weeks.

WOUNDED KNEE CASES

On April 25th, a short pre-trial hearing is expected to begin concerning the cases of the 100 Wounded Knee defendants. Testimony and affidavits will air issues similar to those recently brought out in the evidentiary hearing in the St. Paul trial of Dennis Banks and Russell Means. If this motion to dismiss fails, the first case to come to trial will be that of Lorelei DeCora Means, Madonna Gilbert, and Tonia Ackerman. The Three women are charged with burglary and larceny in connection with the alleged looting of the trading post at Wounded Knee on February 27, 1973.

The defense intends to bring out "what an oppressive and over-reaching institution the trading post was and the dishonest and corrupt practices engaged in by the owners."

THE WORK CONTINUES -

Last Week's decision by Judge Nichol denying the defense motion for dismissal of the Wounded Knee cases on the basis of government misconduct, and the beginning of the trial on the Custer cases this week in Sioux Falls increases the need for us to re-double our efforts to defend and win justice and a recognition of Indian Treaty Rights.

The situation facing the defendants in the Custer, Wounded Knee, and other related cases is critical now. More than 150 Indian people face charges that could result in hundreds of hours in jail. This massive legal attack by the most powerfully organized force in this country, the U.S. government, must be met by us.

Conditions on the reservation have not changed since Wounded Knee. Too many people are still unaware of the situation around Wounded Knee, the conditions of Indian people's lives, and the just demands Indian people are making for their Treaty Rights.

A WORD ABOUT MONEY: Right now, WKLD/OC is in a desperate financial state. The four week evidentiary hearing on governmental misconduct has cost us a great deal of time and money. We are being forced to maintain four legal teams, offices, and housing because of trials going on in St. Paul, Sioux Falls, Pierre and the work on the Reservation; plus a move to Lincoln Nebraska projected for the early part of May. Our finances being run jointly out of Sioux Falls and St. Paul Offices, at this time, can not meet our expenses. Without money to pay our basic costs we cannot continue our vital work of legal defense and support building around the issues.

We call upon all of you who have shown support in the past to send us whatever you can afford so that we may continue our work.

We also have lots of suggestions for you to raise money in your community and at the same time build support for the Wounded Knee struggle.

OUR MANY SUPPORTERS MUST REDOUBLE THEIR EFFORTS OF TIME AND MONEY IF WOUNDED KNEE AND THE SACRIFICES OF BUDDY LAMONT, FRANK CLEARWATER AND PEDRO BISSONETTE ARE TO BE VINDICATED.

We are enclosing coupons which you can return to our office. They are on the addressing page.

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Date of Report

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Date(s) of activity

4/3/74

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Brief description of activity or material

Wounded Knee Trial Newsletter
dated 4/3/74

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APR 26 1974
FBI - LOS ANGELES

TRIAL NEWSLETTER

WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

April 3, 1974

ST. PAUL - This second week of the hearing on the government misconduct dismissal motion in the trial here of Dennis Banks and Russell Means for their participation in the Liberation of Wounded Knee last year, has begun to reveal the way the FBI conducts surveillance against those who protest the U.S. government's racist, repressive policies.

For the first time, the FBI has been ordered by Attorney General William Saxbe to open its file on informants to prosecuting attorneys R.D. Hurd, David Gienapp, Earl Kaplan and William Clayton. The question remains, however, as to how much will be seen of their national spy system under the limits set by Saxbe and FBI director Clarence Kelley.

The order to open the files came after local FBI director Joseph Trimbach admitted on the stand that the FBI had had informers from Feb., 1973 to the present infiltrating the defense. "Invasion of the defense camp" by the government can be grounds for dismissal of all charges, Judge Nichol has indicated.

After Trimbach's admission, Nichol ordered the FBI to produce its file of informers so prosecuting attorneys can compare names in the file with names of people working for the WKNOC. However, this peek at the file of finks is extremely limited.

Only the four prosecutors will be able to look at the file in which all the informers names are coded. They will then decide if there is anything relevant in the file. They then must clear releasing that information with both the informer and Saxbe. Only then can they pass it along to the defense. If either the informer or Saxbe vetoes releasing the name and information, then the defense will not be allowed to see it. Judge Nichol has indicated in that case, he will consider dismissing all the charges.

But even this limited look did not come without a fight. The FBI was not about to surrender one of its most useful tools and refused initially to submit to Judge Nichol's order to open the informer file under any conditions. They finally said they would if the Attorney General ordered it.

Judge Nichol did not accept the FBI's initial refusal to comply. He deplored the "necessity," he said, "in a democracy, to have a national spy system," and then he gave the FBI an ultimatum: if Attorney General Saxbe refuses to comply with the court order, the case will be dismissed. He set March 29 as the deadline.

Faced with that ultimatum, the FBI and the repressive system it represents were forced to open the informer file. The government was in a real dilemma. The case could be dismissed if the file was not produced. It did not want the case dismissed nor surrender the informers' file.

Put times have changed. The people of this country have had it with the constant lies this government and its repressive police put forward in the name of "law and order." Judge Nichol has often commented, during the course of this hearing that "this is a search for the truth."

A search for truth, though, when aimed at the FBI, is a hard course to follow. And even when they were forced to bend to the changing times and Judge Nichol's order, they set severe limits, as explained before which still leave questions as to how much of the truth we will actually see.

April 3, 1974

Throughout this trial and this hearing, the FBI, which has over 315, 981 documents in its Wounded Knee file, has failed to produce evidence, tampered with evidence, rarely complied with Judge Nichol's discovery order, "lost" pieces of evidence, lied to the Judge through its local director when he asserted that the only phone in Wounded Knee was not tapped, intimidated defense witnesses and on and on.

It was brought to the court's attention March 25 that one of the major defense witnesses, Joe Pourier, in this hearing, has been physically threatened in Rushville, Neb. a few miles south of the Pine Ridge Reservation.

Pourier, who works for the Bison State Telephone Co. on Pine Ridge, installed the only phone inside Wounded Knee at the Trading Post, and put in an extension to that phone at the main FBI roadblock outside the village. He first exposed the FBI wiretapping operation.

Pourier was told he would be shot "between the eyes" by five members of Tribal Chairman Dick Wilson's goon squad. Wilson is directly responsible to the Bureau of Indian Affairs. The BIA is part of the Dept. of Justice as is the FBI. Wilson also cooperated fully with the FBI and the U.S. Marshalls last year to break the Liberation effort at Wounded Knee. It was BIA police who killed Pedro Bissonette last October. He was a leader of the Oglala Sioux Civil Rights Organization and of the Liberation effort.

As defense attorneys and people on Pine Ridge do not trust the BIA police, the U.S. Marshalls or the FBI, they suggested to Judge Nichol that he deputize members of the American Indian Movement to protect Mr. Pourier and his family. The judge is still considering the suggestion.

Another example of how the Dept. of Justice views justice came up this week. Five months ago defense attorneys had asked the government to produce the logs kept by federal marshalls of intercepted radio communications from inside Wounded Knee.

The prosecuting attorneys were assured by the U.S. Marshalls that no such logs existed. Last Saturday, March 23, the logs were "mysteriously" discovered and turned over to the defense.

Under our Constitution defendants must be given the opportunity to prepare for their defense. In this case, the government has made it extremely difficult, if not impossible, for the defense team to adequately prepare by withholding evidence or reluctantly producing documents of vital importance in the middle of the trial - and then only when such documents were subpoenaed.

Ten of the government witnesses to take the stand this week were FBI agents who had been assigned to Road Block #1. All admitted having listened in on conversations from the Trading Post, using the "extension" at the road block. Some pretended to know nothing of the purpose of that road block phone. (The government has tried to claim it was there for negotiating purposes.)

One proudly declared that he felt it was his duty to overhear conversations. All said they had never received instructions as to the use of that extension and one asserted he told a gathering of some 20 to 50 agents in Pine Ridge that they should not monitor the phone, emphasizing "we should not listen in to that phone, we don't want any accusations of illegal wiretapping."

That same agent added he had no knowledge of any agents monitoring that phone. During the testimony of this last agent it was revealed that the Dept. of Justice had decided not to request a court order for wiretapping.

When Trimbach, local FBI director, received reports of monitoring from his agents; he took no disciplinary actions against them. It is a federal crime to intercept conversations without a court order.

A.T.M. NATIONAL OFFICE:

The National AIM office is now located at 553 Aurora, St. Paul which is the same address as the St. Paul AIM office. We have been asked by National AIM that any correspondence sent to AIM at the St. Paul address should be designated National Office, AIM OR St. Paul AIM. This would make the mail processing there much easier.

SIOUX FALLS REPORT:

The trial of Madonna Gilbert, Lorelei DeCora Means, and Tony Ackerman have been suspended while the hearing on the dismissal motion continues in St. Paul. The trial in Sioux Falls is currently scheduled to begin the following day after a decision is reached on the motion in St. Paul.

OGLALA LAW SUIT CHALLENGES WILSON RE-ELECTION

A complaint challenging the legality of the February 7 tribal reelection on the Pine Ridge Reservation has been filed in Federal Court on behalf of Russell Means and 28 named voters of the Oglala tribe.

The complaint charges that tribal president Richard Wilson and his agents, deprived the Oglala people of a free election contrary to their due process and equal protection rights under the 1968 Indian Civil Rights Act and the Civil Rights Act of 1871 and seeks a new independently supervised election within 45 days of judgement.

The complaint names Wilson, many individuals of the tribal council, tribal election board, and others of the Wilson Administration in a conspiracy to assure Wilson re-election through deliberate disregard for tribal election procedures, violation of the Indian Civil Rights Act and intimidation of anti-Wilson proponents who would stand up for their political and civil rights.

Wilson used the same methods to retain power as he has for the past 2 years - fraud and terrorism, backed by the federal government. Russell Means, as the plaintiff, in announcing the suit, said:
"It was a huge mistake to believe that the people of Pine Ridge could get a fair and free election without supervision by independent, neutral observers. The election is just additional proof that Wilson's is a puppet government; that his allegiance is to a few at the expense of most of the Oglala people, keeping them in poverty, without jobs, without adequate medical care and with few hopes for the future under the oppression that Wilson had created."

These are the basic causes of the 1973 Wounded Knee incident. The Oglala people demanded freedom from oppression. They claimed their sovereignty under the Treaty of 1868 and call for a fairly elected leader who will act according to the will of his people.

INFORMATION BLACKOUT BY ESTABLISHMENT PRESS AND MEDIA

All through the trials, except during a few key days, the policy of the establishment press has been to ignore the struggle Indian peoples have been waging in the courts and on the reservations. This policy is not only directed towards Indians, but generally towards issues that confront the policies and practices of the U.S. government and corporate interests.

This is evidenced by the blackout of or distorted coverage of the coup in Chile, the Attica massacre, the struggles of the Tuscarora in North Carolina, many strikes by labor and many others.

The WKLD/OC has always urged people to write to the national media and their local press asking for fair and detailed coverage. More direct action is needed now. We urge support committees and concerned organizations to begin organizing picket lines and other demonstrative actions at facilities of the national news media to bring pressure on the policy-makers to provide space and air time in order to present the facts to the people of the U.S.

It should be made clear that the protest is not being directed towards reporters, but only towards the policy-makers. The protests should be maintained on a regular basis until we receive some response.

It may be in your area that another means of pressure should be tried. Please respond in any way which you feel will be most effective.

April 3, 1974

THIS IS THE TIME

The WKLD/OC is currently operating at a large deficit. Due to the large number of cases (over 300) and the spreading out of the trials to four locations -- St. Paul, Sioux Falls, Pierre, Lincoln -- the Committee is being forced to maintain four legal teams, four offices and housing in each of the four cities to accommodate the staff, the defendants and supporters.

The purpose of Wounded Knee was to protest the police state of Dick Wilson and assert the too long forgotten treaty rights of the Teton Sioux Nation. Our many supporters must redouble their efforts of time and money if Wounded Knee and those who died there, Buddy Lamont, Frank Clearwater and Pedro Bissonette, are to be vindicated.

This is the time for you, the country and the world to stand up in the fight against the repression of truth and Native American rights. The people of Wounded Knee and all Indian peoples need your help.

SHOW YOUR SUPPORT

The WKLD/OC has been conducting a letter and telegram campaign in support of the dismissal motion. We urge everyone to send a telegram or letter to Judge Fred Nichol urging that he grant the defense motion for dismissal of the charges against Russell Means and Dennis Banks on grounds of government misconduct which includes FBI wiretapping in violation of the 1868 Ft. Laramie Treaty.

Send to:

JUDGE FRED NICHOL
Fed. Court Bldg.
Courtroom 7
St. Paul, Minn. 55101

Please send a copy to our office also.

Response to our appeal so far has already been overwhelming as petitions, letters and telegrams arrive from individuals and organizations all over the country and internationally.

If you haven't sent in the coupon below, please do so.

PLEASE CONTINUE TO SEND ME THE TRIAL NEWSLETTER/BULLETIN

NAME _____

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CITY _____

STATE _____

ZIP _____

ENCLOSED IS A DONATION OF \$ _____ TO HELP KEEP THE TRIAL N/B KEEP GOING.

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by Informant _____

Date of Report

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Date(s) of activity

4/13/74

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Brief description of activity or material

Wounded Knee Trial Newsletter
dated 4/13/74

File where original is located if not attached

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☐ Informant

on date _____

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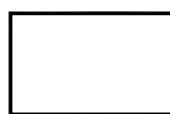
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TRIAL NEWSLETTER

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WOUNDED KNEE LEGAL DEFENSE/OFFENSE COMMITTEE

333 Sibley St., Suite 605, Saint Paul, Mn. 55101 224-5631

TRIAL NEWSLETTER/BULLETIN #9

April 13, 1974

ST. PAUL — After four weeks of a special hearing on governmental misconduct in the Wounded Knee trial, it is becoming clearer that the government is involved in a conspiracy to cover up their illegal monitoring and suppression of evidence.

The hearing was scheduled to have ended on Wednesday April 10, but on April 6 new evidence was "discovered" and turned over to the defense.

This new evidence consisted primarily of a note, dated March 20, 1973, from Mark Felt, then the number two man in the FBI, to Henry Petersen assistant attorney general in charge of the Criminal Division of the Department of Justice. The letter revealed that Henry Petersen felt the FBI had in fact been engaging in illegal wire tapping. In an effort to convince the Justice Department that it was not true, the FBI appeared to have invented teletypes and false stories. But it was to no avail.

Carl Belcher, chief of the General Crimes Section under Petersen, had been to Wounded Knee. When he was there, talk of information obtained from listening to the telephone was so widespread he thought they had an open line right into the Command Post in Pine Ridge! In fact, no one had bothered to tell him the true facts and based on the stories Belcher had heard about the phone, he gave the FBI in Pine Ridge legal advice to go ahead and monitor the telephone. No contrived story could convince him later that they had not done just that!

Belcher was the first government official to take the stand fully prepared to answer question. His testimony revealed that he had been grossly misled by the FBI, which is ready to lie not only to the American people, but when necessary to the Justice Department as well.

Another high official to testify was Mark Felt who was, prior to his retirement on June, 1973, the Acting Associate Director of the FBI; that is, second in command. His testimony was quite different from that of Belcher. One of the first statements he made after taking the stand was, "I'm not aware of any illegal wiretaps in connection with this matter." The remainder of his testimony was in the same vein. He was shocked that Henry Petersen, could think that an application for wiretapping was based on illegal monitoring of the Trading Post phone, adding that it was not the way the FBI operated. Although at the end of his testimony he admitted that prior to 1968, the FBI had monitored phones without a court order.

Felt's testimony was also in direct conflict with that of Roy K. Moore, Special Agent in Charge of the Jackson, Mississippi office of the FBI, to such an extent that it prompted Judge Nichol to say that Moore's testimony seemed to be "clearly less than candid."

Moore's testimony was like that of all other FBI agents who have testified so far. He did not recall much, became easily confused; but was absolutely sure that the phone was not monitored, lying to the Department of Justice in saying that there was no wiretapping. Like Felt, he resented violently the allegation that the phone was tapped illegally. One interesting feature of Moore's attitude is that he was the agent in charge at Wounded Knee who wanted to wipe out the village "to save lives". When J. Edgar Hoover died Moore's name was mentioned as a possible replacement.

Mr. Trimbach's record might not be as impressive as that of Moore or Felt, but his testimony is typically that of an FBI agent. The local director of the FBI took the stand a second time to explain some of his previous testimony that led the defense to file a motion of perjury against Trimbach. This week a second subpoena was served on Trimbach because it was revealed that he lied again under oath. The first and second lies are partly about the wiretap application. Trimbach has said he never saw one, until he was shown a copy of an application that he himself had signed. This week a second application for wiretapping the phone at the Trading Post was discovered. Trimbach's signature appears at the bottom. Judge Nichol is very disturbed and has said that the government, who has the burden of proving there was no illegal monitoring, has not proven much so far, if anything.

Evidence of governmental misconduct surfaces every week. Pieces of evidence have been tampered with. Material relevant to witnesses testimony is released long after they have testified and only when subpoenaed. Information has been withheld from the defense under pretext of it being a "confidential source" of information. There are unexplained missing pieces of evidence. The massive contradictions between FBI agents and the Justice Department speak for themselves. The pattern of governmental misconduct in this case is no different than in other cases, whether it be Watergate, Stans-Mitchell, Ellsberg, etc.

TRIBAL INAUGURATION -

The Tribal inauguration of Richard Wilson and members of the Tribal Council was held as scheduled in Pine Ridge, South Dakota Monday night, April 8th. Three Tribal Council members elect, however were prevented from attending the ceremony by BIA police. Severt Young Bear, Harvin Ghost Bear, Frank Starr, all elected to the council and to have been sworn in that same evening were excluded from the proceedings along with several of their supporters. They were told that AIH and its supporters were not wanted at this inauguration. Another council member walked out of the hall in protest of this action. The excluded council members were sworn in the next day at a private ceremony.

SIoux FALLS REPORT -

While the other scheduled Wounded Knee Cases have been temporarily halted pending a decision on the dismissal motion in St. Paul, pre-trial hearings on the Custer Cases begin on Monday April 15 in Minnehaha County Court House, Sioux Falls, to be heard by Judge Joseph Bottum. There will be three motions presented the first week.

A motion will be presented on Monday to dismiss all the Custer indictments on the grounds of "massive publicity prior to the calling of the Grand Jury". There have been nine newsmen from across the state of South Dakota subpoenaed as well as news material from NBC, CBS, ABC, Associated Press and United Press International among others. Also on Monday, Dr. Jay Schulman, noted authority on Jury selection, will testify.

On Tuesday a demurrer to the indictments will be submitted. This means Defense attorneys contend that the state of South Dakota had no jurisdiction to issue any indictments in these cases because Custer is still within Sioux Territory according to the 1868 Treaty. Vine Deloria Jr. will testify to this motion. Deloria, author of Custer Died For Your Sins, and other books, is an attorney who has done extensive legal research on the historical aspects and current application of treaties signed with the U.S. government and the violations of those agreements.

The third motion to be submitted in the Custer pre-trial hearings is a motion to suppress an allegedly unconstitutional identification line-up, used during Grand Jury proceedings to identify defendants in the Custer incident. Sheriff Ernest Pepin will testify in this motion.

The federal cases will begin when the hearing is over; April 25th projected date.

FILM SHOWING-

There will be a film showing benefit for the Wounded Knee Defense and the Minnesota Alliance Against Racist and Political Repression, held at: Sabathani Center, 24 E. 31st Street Minneapolis on April 26th, 8:00pm Martin Luther King Center, 270 Kent (just off Dale Street), St. Paul on April 25th, 7:30pm.

Films shown will be: "Forty-seven cents" the Story of the Pitt River Indians' struggle to regain their lands, and "Teach Our Children" a recount of the Attica Prison rebellion and what it means for all people; Donation \$1.00 SPREAD THE WORD.

NOW IS THE TIME -

Wounded Knee Legal Defense/Offense Committee, located now in St. Paul, Sioux Falls, Pierre, and on the Reservation continues its vital work of legal defense, distributing information, and building mass support around the Wounded Knee liberation and the struggles of all Indian people. If the Wounded Knee cases are dismissed, the work will in no way be ended.

THESE FACTS REMAIN:

1. Freeing the 130 Wounded Knee defendants will not free 140 other people indicted for related incidents (such as the Custer cases).
2. Dismissing the Wounded Knee cases does not change the conditions of Indian people's lives. The Treaty must be honored. The Three Demands must be attained.
3. Mass public support must continue; to show the government that we will not stand for their actions against the original land owners of this country; but that we will stand with Indian peoples to obtain their treaty rights.

The WKLD/OC is currently operating at a large deficit. Due to the many cases and the spreading out of the trials to four locations, the committee is being forced to maintain four legal teams, four offices and housing in each of the four cities to accommodate the Committee staff, defendants and their supporters. NOW MORE THAN EVER WE ASK YOUR HELP IN SUPPORTING THE WKLD/OC EFFORTS AND THE DEMANDS OF ALL INDIAN PEOPLE. Without money our efforts of providing information, bringing forth the Treaty issue, and maintaining our defense work can not continue.

WE MUST STAND TOGETHER

Please send contributions to:

WKLD/OC
333 Sibley Rm 605
St. Paul, Mn. 55101

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TO DIRECTOR (157-31312)

LOS ANGELES

FROM MINNEAPOLIS (70-7101) (P)

ATTENTION: JOHN C. GORDON, ROOM 2266.

SA [REDACTED] LOS ANGELES DIVISION.

[REDACTED] WOUNDED KNEE NON-LEADERSHIP TRIALS, LINCOLN, NEBRASKA;
CIR - BURGLARY, ETC.

ON INSTANT DATE AUSA [REDACTED] SPECIAL PROSECUTOR IN CHARGE
OF CAPTIONED TRIAL REQUESTED APPEARANCE OF SA [REDACTED]
TO APPEAR AT LINCOLN, NEBRASKA ON OCTOBER 15, 1974, 8:00 AM.

AUSA [REDACTED] ADVISES THAT SA [REDACTED] NEEDED IN ORDER TO TESTIFY
CONCERNING FACTS SURROUNDING ARREST, TRANSPORTATION, SEARCH, SEIZURE,
AND INTERVIEW OF [REDACTED] ON MAY 6, 1973.

AUSA ADVISES TESTIMONY NEEDED IN ORDER TO PROVE ELEMENTS THAT
CAPTIONED SUBJECTS HAD CONSPIRED TO VIOLATION OF TITLE 18, USC,
SECTION 231 (A) (3), IMPEDING FEDERAL OFFICER DURING A CIVIL DISORDER,
ON APRIL 27, 1973. SAC MINNEAPOLIS CONCURS AT TESTIMONY ESSENTIAL.

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FBI - MINN

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PAGE TWO

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SA [REDACTED] UPON ARRIVAL AT LINCOLN, NEBRASKA SHOULD
TELEPHONICALLY CONTACT LINCOLN FBI OFFICE NUMBER 402-432-6393, OR
SPECIAL PROSECUTOR'S OFFICE NUMBER 402-475-3405 LIMOUSINE SERVICE
AVAILABLE FROM LINCOLN AIRPORT TO CLAYTON HOUSE MOTEL WHERE RESERVATIONS
ARE MADE. AGENT TO REPORT AS ABOVE, UACB.

ADMINISTRATIVE:

RE LINCOLN, NEBRASKA, TEL CALL TO LOS ANGELES INSTANT DATE.

END

SJS FBI LOS ANGELES CLR

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(Mount Clipping in Space Below)

FOUR INDIANS CONVICTED IN 'Wounded Knee' uprising

LINCOLN Neb (AP) — Four The hearing will center on men were convicted Thursday whether the treaty is valid and of federal charges stemming prohibits the FBI and federal from last year's occupation of marshals from operating on the Wounded Knee, S.D. reservation.

The convictions, first on Wounded Knee charges, set up a legal test of Indian rights under an 1868 treaty.

U.S. District Court Judge Warren K. Urbom found Reginald K. Dodge, Colin Robin Wesaw, Mark J. Fleury and Larry A. Johns guilty of a conspiracy to "obstruct, impede or interfere with" U. S. marshals and FBI agents during the 71-day occupation of Wounded Knee, located on the Pine Ridge Indian Reservation. Fleury was also convicted of second-degree burglary and simple assault.

Urbom then scheduled a Dec. 16 hearing to determine whether the convictions violated the treaty between the Oglala Sioux and the federal government.

Earlier, the judge had thrown out charges of assault with deadly weapons that had been filed against all four men. Urbom heard the case without a jury. Urbom agreed earlier in this trial that if a conviction resulted it would be subject to his consideration of the treaty's hearing on the case.

(Indicate page, name of newspaper, city and state.)

Date: 12/17/70
Edition: Home Edition
Author:
Editor: Richard Wallace
Title: Four Indians convicted in Wounded Knee uprising
Character: Being Investigated
or
Classification:
Submitting Office: Lincoln, Neb.
☒ Being Investigated

70-7253-340

NREG4 MP CODED

4:15 PM URGENT OCTOBER 11, 1974 DSC

TO DIRECTOR ATTN: JOHN C. GORDON, ROOM 2266.

b6
b7c

BUTTE ATTN: SA [REDACTED]

CHARLOTTE ATTN: SA [REDACTED]

DENVER ATTN: CLERK [REDACTED]

HOUSTON ATTN: SA [REDACTED]

SALT LAKE CITY ATTN: SA [REDACTED]

LOS ANGELES ATTN: SA [REDACTED]

FROM MINNEAPOLIS (70-7101) (P)

[REDACTED]
[REDACTED] WOUNDED KNEE NON-LEADERSHIP TRIALS, LINCOLN,
NEBRASKA; CIR - BURGLARY, ETC.

ON EVENING OCTOBER 10, 1974, AUSA [REDACTED], PROSECUTOR OF
CAPTIONED MATTER, REQUESTED APPEARANCE OF FOLLOWING FBI PERSONNEL
AT LINCOLN, NEBRASKA, FOR USDC ON DATES AND TIMES SHOWN:

SA [REDACTED] (LOS ANGELES); SA [REDACTED] (BUTTE);
CLERK [REDACTED] (DENVER) TO APPEAR, LINCOLN, NEBRASKA,
8:00 AM, OCTOBER 14, 1974. NOTE OCTOBER 14, 1974, LEGAL HOLIDAY;
HOWEVER, USDC JUDGE WARREN K. URBOM SCHEDULED TRIAL FOR OCTOBER
14, 1974.

SA'S [REDACTED] (SALT LAKE CITY); [REDACTED] (HOUSTON);
[REDACTED] (CHARLOTTE); AND [REDACTED] (MINNEAPOLIS) ARE

10-7255-391
JMS
mly

10/11/74 JMS

[REDACTED]

TO APPEAR, USDC, LINCOLN, NEBRASKA, 8:00 AM, OCTOBER 16, 1974.

AUSA [] ADVISED S [] AND SA [] NEEDED TO TESTIFY TO CIRCUMSTANCES SURROUNDING ARREST OF [] MAY 6, 1973, AND THEIR SEARCH, SEIZURE, TRANSPORTATION AND INTERVIEW OF []

AUSA [] ADVISED CLERK [] NEEDED TO PROVE CHAIN OF CUSTODY OF EVIDENCE IN THIS MATTER IN THAT HE SIGNED EVIDENCE OVER TO CUSTODY OF U.S. MARSHALS, MAY 9 AND 10, 1973.

AUSA [] ADVISED APPEARANCE OF SA'S [] AND SA [] ARE REQUESTED TO APPEAR USDC, LINCOLN, NEBRASKA, DUE TO FACT THEY ARE BEING CALLED AS DEFENSE WITNESSES.

b6
b7c

SAC, MINNEAPOLIS, CONCURS TESTIMONY OF ABOVE AGENTS ESSENTIAL.

FBI PERSONNEL UPON ARRIVAL AT LINCOLN, NEBRASKA, SHOULD TELEPHONICALLY CONTACT LINCOLN FBI OFFICE (402) 432-6393 OR SPECIAL PROSECUTOR OFFICE (402) 475-3405. LIMOUSINE SERVICE AVAILABLE FROM LINCOLN, NEBRASKA, AIRPORT TO CLAYTON HOUSE MOTEL WHERE RESERVATIONS ARE MADE AND WHICH IS CONVENIENT TO THE FEDERAL BUILDING.

AGENTS ARE TO REPORT AS ABOVE, UACB.

ADMINISTRATIVE: RE LINCOLN, NEBRASKA, TELEPHONE CALLS TO ABOVE OFFICES THIS DATE AND OCTOBER 10, 1974.

RE MINNEAPOLIS TELETYPE TO BUREAU AND DENVER, DATED OCTOBER 10, 1974, CONCERNING APPEARANCE OF CLERK [] TO APPEAR AS GOVERNMENT WITNESS.

END

(Mount Clipping in Space Below)

Wounded Knee Retrial Asked By Prosecution

WASHINGTON (UPI) — The Justice Department has asked a federal appeals court to order a new trial for the leaders of the Indian takeover of Wounded Knee, S.D., for 71 days early last year.

Assistant Attorney General Henry E. Petersen filed a brief Wednesday in St. Louis asking the court to reopen the case, which ended Sept. 16 with acquittal of American Indian Movement leaders Russell Means and Dennis Banks. The brief was made available here.

Petersen said trial Judge Fred J. Nichol was wrong in dismissing the charges on grounds of alleged misconduct by the prosecution and the FBI.

Petersen said the decision is based on unsupported allegations and that the dismissal of indictments serves no purpose and is detrimental to either the administration of justice or the public.

A series of clashes between Nichol and the prosecution climaxed with the judge throwing out the charges when a juror became ill after the seven-month long case went to the jury and the Justice Department refused to accept a verdict from the remaining members.

(Indicate page, name of newspaper, city and state.)

P. 8 EVENING OUTLOOK
SANTA MONICA, CA

Date: 12/19/74
Edition: Thursday 3 Star
Author:
Editor: Robert D. Funk
Title: WOUNDED KNEE

Character:

or

Classification: LA-70-7253*
Submitting Office: Los Angeles

☐ Being Investigated

70-7253-349
SEARCHED INDEXED
SERIALIZED FILED

b6
b7C